

McDannold, Bruce

From: Little, Darlene @ IEC [darlene.d.little@l-3com.com]
Sent: Wednesday, June 15, 2005 11:28 AM
To: McDannold, Bruce
Cc: 'Assemblyman Tom Harman'; 'CalifSenatorJohn Campbell'
Subject: Certification Procedures of Voting Systems

Mr. Bruce McDannold
Elections Systems Division
Office of the Secretary of State
1500 11th Street
Sacramento, Calif. 95814

Subject: Certification of Voting Systems in California

Sir,

I am reticent for not having contacted you sooner as I see that tomorrow, meetings are being held to review the certification of several major voting systems in the state.

Within the documentation provided on the Voting Systems website http://www.ss.ca.gov/elections/elections_vs.htm from the Staff Report was a section on IV. Compliance with State and Federal Laws and Regulations.

Paragraph 3. Section 103(a)(3) The system shall be safe from fraud or manipulation.

and

Paragraph 4. Section 103(a)(4) The system shall be auditable for the purposes of an election recount or contest procedure.

Since you are the person in charge of verifying these paragraphs are met, I would like to inquire about the means of verification.

Regarding fraud or manipulation, there is a concern on my part that there are software engineers capable of installing layers deep within software code that make it remotely accessible to an unscrupulous person to modify or change the voting intentions of the voter. There are such people who are both capable and willing to implement such a code. The only way that I know of detecting such a manipulation is to require that the state pay for and provide an independent assessment of the entire code and compare its executable to the one submitted for certification. Testing is NOT sufficient because the code may be so selective as to avoid all normal testing paths. As a citizen, I am concerned that the voting software/firmware in the certified systems have inside them some kind of manipulation capabilities. The validity of the vote and its results are therefore not reliable.

Regarding auditability, any use of the information stored on a possibly corrupted digital medium (via the method suggested above) can not be used to substantiate the intent of the voter. I am not sure that a "paper trail" is the solution unless the voter verifies their intent prior to collection of the paper. I noticed that the newer systems imply that the voter will verify their intended vote prior to submission. I am not however convinced that these paper receipts will be accepted as valid reflections of the voter intent. There are states that have explicitly banned the counting of paper ballots.

I would implore you to consider the possibility of fraud and manipulation of ALL of the voting systems, certified previously or not, exists. The integrity of the vote in the United States and in California in particular

is crucial to a true democracy.

Thank you for your attention to my concerns and for the integrity of the work you perform

Darlene.D.Little@L-3com.com

L-3 Communications

Interstate Electronics Corporation

602 E. Vermont Avenue; Anaheim, CA 92803-3117

Work (714) 758-2636 FAX (714) 758-3106

Murphey, Marcia

From: Kenneth Fingeret [nuts2you@optonline.net]
Sent: Thursday, June 23, 2005 5:51 AM
To: Secretary of State, Constituent Affairs
Subject: comments

Hello,

I wish to make a few comments about the voting machines. If you use machines made by Diebold you must do the following. Make all the ATM machines have the same security as the voting machines! No exceptions. After the banks lose billions and billions of dollars you will be rewarded with a job in the banking industry. Those phony machines I call dial a vote as only the manufacturer will be able to decide the election. I hope that you do buy those machines as we will lose our democracy.

My recommendation are: open source software, the state owns the voting machines including a printer which prints two completed ballots one for the voter and one counted by the precinct, maximum security including no on-line access to the voting machines. Result machines will also have to print out counts and double checked by the paper ballots. These results will be brought to a central location and when it is updated the prior number plus the update will be checked to make sure that the increase is proper which keeps a paper trail also to verify that the numbers are correct. All points of the voting system must maintain a paper trail as any thing wrong will be easily detected. Exit polls are a valid source as to whether the election is ok or not as this relies on the people who actually cast a ballot.

I am sure that there are many more ways to make the voting more secure but this seems to be a minimum or even less than a bare minimum.

Kenneth C. Fingeret

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And as Mussolini told us, the newest form of feudalism has been reinvented and renamed. He called it "fascism" - a word that was defined by The American Heritage Dictionary (Houghton Mifflin Company, 1983) as "fas-cism (fash'iz'em) n. A system of government that exercises a dictatorship of the extreme right, typically through the merging of state and business leadership, together with belligerent nationalism."

Quis custodiet ipsos custodes? (Who will guard the guardians, watch the watchers, etc?) - Juvenal (D. Iunius Iuvenalis) Decimus Iunius Juvenalis, c. 60-140 A.D., Roman rhetorician, satirical poet)

"Patriotism is the last refuge of a scoundrel" - Samuel Johnson

Political tags—such as royalist, communist, democrat, populist, fascist, liberal, conservative, and so forth—are never basic criteria. The human race divides politically into those who want people to be controlled and those who have no such desire.
- Robert Anson Heinlein

The urge to save humanity is almost always a false front for the urge to rule. - H.L. Mencken

Murphey, Marcia

From: margiafelipe [margiafelipe@cox.net]
Sent: Thursday, June 23, 2005 5:25 AM
To: Secretary of State, Constituent Affairs
Subject: Voting Machines and the end of Democracy

The voting machines brought fraudulent election results, specially the ones made by Diabold. We want paper proof to make recounting possible.

Felipe and Margia Alvarez
25382 Sea Bluffs Dr. #8-108
DANA POINT, CA 92629

Murphey, Marcia

From: marni10@sbcglobal.net
Sent: Thursday, June 23, 2005 6:58 AM
To: Secretary of State, Constituent Affairs
Subject: No AVVPAT

Bruce McPherson, Secretary of State

6/23/05

I object to Diebold's AVVPAT system of vote counting. It will be too costly to pay Diebold for the count. The paper should be archival, read by county vote-counters, on separate sheets.

Thank you for your attention.

Marjorie Curtsinger,

Attention: Bruce McPherson, Sec. of State

FAX: 916-653-4620

June 22, 2005

Election Reform Critical -voter verified paper ballots essential

We should use the HAVA funds to support development of open source software and a secure voting system through the University of CA, using voter-verified paper ballots.

We should absolutely not allow Diebold or ES&S equipment in our elections. They are owned by partisan interests and we have already experienced numerous problems and suffered financial losses because of such companies, not to mention what these problematic electronic devices have done to erode voter confidence. I served as a poll worker and have first hand knowledge of the vulnerability of the electronic devices we have been using, particularly in the 2004 election.

There's a multitude of added problems including lack of training for poll workers, poor planning by administrators, 14-16 hour work days which leads to mistakes and lack of proper safeguards against tampering, etc. etc.

It is not right that we have people on the VSPP who lobbied for Diebold and another who did fundraising for Schwarzenegger. We need leadership that takes these issues seriously and gives proper attention to election reform experts.

It's critical that we clean up our voting system because our democracy is a shambles with a voting system which is vulnerable to partisan tampering.

Please take notice of what is happening here and look into these matters. If we can't be confident in our voting system we are in big trouble.

Thank you for your attention to this critical issue which is not just going to go away.

Chris Gorman
agent992004@yahoo.com
Oceanside, CA

California Secretary of State, Bruce McPherson
Constituent Affairs, SoS's Executive Division
1500 11th Street, Sacramento, CA 95814

Dear Mr. McPherson:

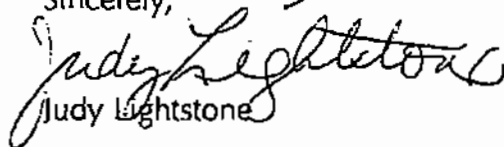
Please save democracy by providing Accessible Voter Verified Paper Ballots that provide an auditable trail by being printed on archivable paper in easily readable font. The audit trails must be clear enough that county-trained vote counters may handle and read them quickly, and they must preserve our confidentiality. Diebold has proposed nothing of the kind and is a disaster in the making.

Diebold has submitted AVVPAT (supposedly Accessible Voter Verified Paper Audit Trail) technology for certification. Do NOT certify it for California! It is INaccessible, NOT voter verified, and not a reliable trail. Affordable hand counts would not be possible with Diebold's thermal paper and miniature type. You will end up paying Diebold fortunes to do such hand counts. Afterall, by law, Diebold corporation must prioritize profit over the public interest.

Another reason to reject Diebold is that the thermal paper, far from being of archival quality, disintegrates quickly. Also, Diebold would abuse voters' privacy by using continuous rolls with the order being exposed, thus identifying voters.

Diebold's history proves that it is not a trustworthy corporation. Of the several corporations that manufacture voting machines, Diebold has especially made a laughing stock of democracy in the U.S.A. Americans have lost trust in our elections. We need paper ballots, counted and re-counted by hand in public. Absentee ballots, counted promptly and publicly, could serve as an interim measure.

Sincerely,


Judy Lightstone

California Secretary of State
1500 11th Street
Sacramento, California 95814

Dear Secretary McPherson:

I am writing to ask you to fulfill your pledge to the Assembly Rules Committee to continue to support voter-verified paper ballots. Your participation in co-authoring SB 1438 helps me to believe that you are inclined to support a transparent and open election system. However, as you well know, there is much more work that needs to be done to ensure fair elections.

I know that you signed ACR 242, a resolution that suggests the Secretary of State look into the use of open source software for public elections. I believe that open source software would help to make our elections more transparent and to instill voter confidence to the election process. I understand that in early June a group of citizens with Citizens Act is coming to Sacramento from Los Angeles to lobby officials such as yourself, the governor, and State Assembly and Senate members about various election reforms, including the use of open source software and voter-verifiable paper ballots.

The group that is the furthest along in designing a reliable open source voter-verifiable paper ballot voting system is Open Voting Consortium (OVC)
(<http://www.openvoting.org>).

The OVC precinct-based system meets all accessibility requirements for HAVA. It uses open source software and provides a voter-verified paper ballot, both of which are necessary for voter confidence. It will be less expensive to purchase and operate than Diebold or other DRE voting systems. Furthermore, the central county canvassing systems also need to be auditable, secure, reliable, and transparent, and OVC is working on an open source version.

OVC is a large, multi-partisan organization that has received support from many other organizations and prominent individuals. (Jim March of BlackBoxVoting.org, Congresswoman Maxine Waters, and 2004 Green Party presidential candidate David Cobb are among OVC's list of endorsers.)

OVC proposes to work with the University of California to develop a publicly-owned open source voting system for California. This project needs your support to get off the ground. I respectfully request that you schedule a meeting with Alan Dechert, President of the OVC, Professor Arthur Keller, UC Santa Cruz computer scientist, yourself, and Governor Schwarzenegger as soon as possible.

Alan Dechert: (916) 791-0456, alan@openvoting.org
Arthur Keller: (650) 424-0202, ark@soe.ucsc.edu

Sincerely,

Deputy A. Keller
2570 41st Street
Sac 95817

June 22, 2005

Bruce McPherson
California Secretary of State
1500 11th Street
Sacramento CA 95814

Dear Secretary McPherson,

I attended the California Voting Systems & Procedures Panel on June 16, 2005.

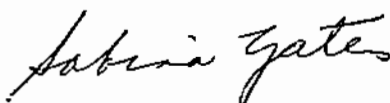
I was very disturbed by the opening statement of the leader of the Panel (Wood?) which was patently political. Mr. Wood had evidently been the Registrar of Voters in Oakland and had been responsible for purchasing \$16M in Diebold voting machines for Oakland.

Should the citizens of the State of California purchase prototypical, untrustworthy Diebold and ES & S voting machines that are vulnerable to manipulation at great taxpayer expense? These same voting machines would then have to be "patched", redesigned, and upgraded for every new election – at still more taxpayer expense. It's time to return to the use of the verifiable paper ballot until there are voting machines without a heritage that is tainted, biased, and questionable.

A major problem is the Diebold software which should be open-source and transparent; not proprietary. Another problem that seemed obvious is that the printer uses thermal paper which would be heat/light sensitive and not secure or preservable.

California taxpayers deserve better technology and transparency than the Diebold and ES & S voting machines offer in order to dispel their anger, frustration, and distrust of electronic voting.

Sincerely,



Sabina Yates
302 Bridgeview Ct.
Benicia CA 94510

Copy to:
California Voting Systems & Procedures Panel

June 21, 2005

Bruce McPherson, Secretary of State
VSPP
1500 11th Street
Sacramento CA 95814

Deborah N. Fuller
233 Trinity Ave.
Kensington CA 94708

Dear Mr. McPherson,

I am writing to request you use Paper Ballots for the Nov. 8 special election. I object to the use of the Diebold Machines before they have been properly approved, protected, and have an adequate paper trail. Thank you for your help in this matter.

Sincerely,
Debbie Fuller

5437 Boyd Ave.
Oakland, CA 94611

June 21, 2005

Dear Mr. McPerson and Panel members,

Please use only paper ballots for the special election in November. There is too much question about the reliability of the Diebold machines. The least we as citizens deserve when we vote is that the votes be accurately counted and reliably handled.

Thank you,
Sarah Kulberg

6/21/05

Bruce McPherson
Secretary of State
Voting System & Procedures Panel
1500 11th Street
Sacramento, Ca.

I urge the Voting System & Procedures Panel to make the state's special election an all paper ballot election.

I am concerned about both published problems with voting by electronic machines and the lack of a reliable trail for checking on votes casted.

Jim Worden
2812 Garber St.
Berkeley, Ca. 94705

Mark E. Smith
1055 9th Avenue, #203
San Diego CA 92101-5527
June 18, 2005

California Secretary of State Bruce McPherson
And the Voting Systems and Procedures Panel
1500 11th Street, 5th floor
Sacramento CA 95814

Dear Secretary of State McPherson:

What sort of public officials would like us to continue to use unverifiable voting systems?

What sort of public officials don't even bother to listen to public comments?

What sort of public officials don't want California to have free and fair elections?

The answer, of course, is that only corrupt public officials who are in the pockets of big money interests who want to bankrupt California would do that.

I am 65 years old and I've been a registered voter for many years. I do not want to vote on any type of electronic voting machine or optical scan system whatsoever, as they have all been proven to be susceptible to fraud and easily rigged, unless they have open source code, which none of the machines you've considered have.

Diebold and ES&S have been rigging elections in this country with the result that we now have fraudulently elected officials who have squandered the surpluses we had when they took office and want us to give them more money to squander.

We have become the laughing stock of the world, demanding that other countries have free and fair elections when everyone knows we no longer have them here.

You are not there to screw the people of California, you are there to serve us, and we want open source code, verifiable voting, and free and fair elections.

Respectfully,



Mark E. Smith

cc: Union-Tribune, the Reader, CityBeat, VOTERR, Open Voting Systems, moveon.org,
San Diego Alliance for Clean Elections, Senator Chris Kehoe

21 June 2005

Bruce McPherson, Secretary of State
VSSP
1500 11th Street
Sacramento, CA 95814

Dear Mr. McPherson,

As a poll worker who had to deal with faulty electronic voting machines, I urge you to use paper ballots and especially encourage use of absentee ballots so that every vote in this quickly called election will be counted.

Thank you for your consideration of this very important issue.

Sincerely,

Ellen Logue

Ellen Logue
1910 Berryman St #207
Berkeley, CA 94709

2217½ McGee Ave
Berkeley CA 94703
June 21, 2005

Bruce McPherson, Secretary of State
1500 11th St.
Sacramento, CA

Dear Mr. McPherson,

Please change the voting
procedure to paper ballots for the
special election this November. The

Diebold voting machines do not
provide an adequate paper trail.

Marsha Feinland

Marsha Feinland,
retired teacher

Julie Sanford

7005 Jordan Avenue #107, Canoga Park, CA 91303

Phone & Fax: 818-888-0455

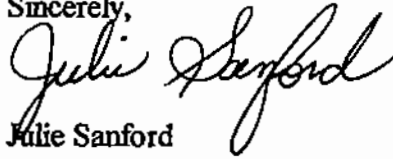
June 20, 2005

Secretary of State Bruce McPherson
California Secretary of State
1500 11th Street
Sacramento, California 95814

In light of the fact that Gov. Schwarzenegger is going ahead with his special election even though the majority of Californians are against it and in light of the fact that this will be the last California election in which paperless Touchscreen electronic voting machines will be eligible for use WITHOUT a paper audit trail, I have three requests to ensure the votes are counted properly.

1. I request that you immediately prohibit Diebold from doing business in California for 3 years.
2. Please require that the sample Ballots in precincts with paperless DRE's announce clearly the option for paper ballots in lieu of voting on paperless machines.
3. Please distribute signage to be posted in Precincts with electronic voting machines which informs voters of paper ballot option. Signage must include the message in all languages used on ballots.

Sincerely,



Julie Sanford

Julie Sanford
7005 Jordan Avenue #107
Canoga Park, CA 91303



Secretary of State Bruce McPherson
California Secretary of State
1500 11th Street
Sacramento, California 95814

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05 JUN 23 PM 1:41

95814+3701 08



4341 Bridgeport Dr.
Mariposa, CA 95338
June 21, 2005

Secretary of State Bruce McPherson,
California Secretary of State
1500 11th St.
Sacramento, CA


Dear Secretary of State McPherson,

I am very concerned about the special election that the Governor has called for this November. I'm particularly concerned about the reliability of the results, considering that this is the last election in which paperless touch screen electronic voting machines will be eligible for use without a paper trail, or paper ballot. These types of machines have shown a statistically significant discrepancy when compared to exit polls and precinct tallies in previous elections. Therefore, I ask you to:

- immediately prohibit Diebold from doing business in California for 3 years.
- provide sample ballots in precincts with paperless DRE that must announce clearly the option for paper ballots in lieu of voting on paperless machines.
- Distribute signage to be posted in precincts with electronic voting machines which inform voters of paper ballot option. Signage must include the message in all languages used on the ballots.

Thank you for your attention to this extremely important issue.

Sincerely,


Jean Giedt

Jean Liadt
4341 Bridgeport Dr.
Mariposa, CA 95338



Secretary of State Bruce McPherson

1500 11th St.

Sacramento, CA

95814

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SECRETARY OF STATE
05 JUN 23 PM 1:40

95814-5701

Mr. Ralph R. Lovelace
14935 Laguna Ave.
Clearlake, CA 95422

Mr. Bruce McPherson
California Secretary of State
1500 11th Street
Sacramento, CA 95814

June 21, 2005

Subject: No Diebold voting machines in California

Dear Mr. McPherson,

I strongly request the following:

1. You immediately prohibit Diebold from doing business in California for the next 3 years.
2. That Sample Ballots in precincts with paperless DRE's announce clearly the option for paper ballots in lieu of voting on paperless machines.
3. That signage be distributed and posted which informs voters of paper ballot option in precincts with electronic voting machines and that signage include the message in all languages that are used on the ballots.

You are aware, as I am, and many California citizens are, of the unreliability of the Diebold voting machines. I am sure that you have been informed of the expert testimony given in opposition to Diebold's voting machines, and the vocal opposition and concern of other testimonials at the VSPP hearing on June 16th from your Under Secretary, Mr. William Wood. I was very disappointed that your presence was not at such an important hearing.

The voters in California have the right to have a fair and honest count of their votes as guaranteed by our Constitution. Please do not be one of those politicians who are more concerned with personal power than the rights of the American people. Do what is right. Let your conscience be your guide. You are the one personally held accountable for all of our votes being counted openly, honestly, and accurately. Don't blow it.

Respectfully,



Ralph R. Lovelace



Equality

Ralph Lovelace
PO Box 6020
Sacramento, CA 95832

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05 JUN 23 PM 1:36



Mr. Bruce McPherson
CALIFORNIA SECRETARY OF STATE
5500 17th STREET
SACRAMENTO CA. 95814

5500 17th STREET

RECEIVED

Tues. June 21, 2005

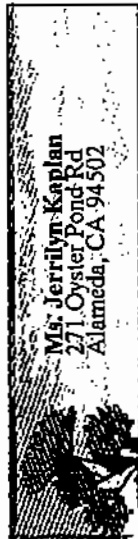
Secretary McPherson -

I want to register my objection to the use of Dribold voting machines in the November special election. These machines do not provide a "paper trail" which I feel is essential to our system of government.

For this election we need to go back to paper ballots.

Thank you.

Jerrilyn Kaplan
271 Oyster Pond Road
Alameda, CA 94502



RECEIVED
SECRETARY OF STATE'S OFFICE
05 JUN 23 PM 1:42

Bruce McPherson
VSPP
1500 11th Street
Sacramento CA 95814

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June 22, 2005

Bruce McPherson
California Secretary of State
1500 11th Street
Sacramento CA 95814

Dear Secretary McPherson,

I attended the California Voting Systems & Procedures Panel on June 16, 2005.

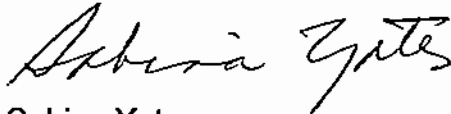
I was very disturbed by the opening statement of the leader of the Panel (Wood?) which was patently political. Mr. Wood had evidently been the Registrar of Voters in Oakland and had been responsible for purchasing \$16M in Diebold voting machines for Oakland.

Should the citizens of the State of California purchase prototypical, untrustworthy Diebold and ES & S voting machines that are vulnerable to manipulation at great taxpayer expense? These same voting machines would then have to be "patched", redesigned, and upgraded for every new election – at still more taxpayer expense. It's time to return to the use of the verifiable paper ballot until there are voting machines without a heritage that is tainted, biased, and questionable.

A major problem is the Diebold software which should be open-source and transparent; not proprietary. Another problem that seemed obvious is that the printer uses thermal paper which would be heat/light sensitive and not secure or preservable.

California taxpayers deserve better technology and transparency than the Diebold and ES & S voting machines offer in order to dispel their anger, frustration, and distrust of electronic voting.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sabina Yates".

Sabina Yates
302 Bridgeview Ct.
Benicia CA 94510

Copy to:
California Voting Systems & Procedures Panel

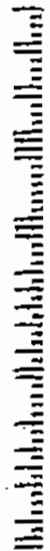
Sabina Yates,
302 Bridgeview Ct.
Benicia, CA 94510

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05 JUN 23 PM 1:40



Bruce McPherson
California Secretary of State
1500 11th Street
Sacramento CA 95814

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**Social Justice Committee
Berkeley Fellowship of Unitarian Universalists**

1606 Bonita Avenue, Berkeley, CA 94709-2022
510-841-4824 office@bfuu.org www.bfuu.org
Co-Chairs: Cynthia Johnson and PhoeBe ANNE (sorgen)

June 19, 2005

Bruce McPherson
California Secretary of State
1500 11th Street
Sacramento, CA 95814

Subject: Voting Machines

Dear Secretary McPherson:

Our committee has an ongoing concern with insecure, secret software in voting machines, which seriously risks electoral fraud. On Thursday, June 17, our co-chair, PhoeBe ANNE (sorgen), went to Sacramento to speak on this issue. She was quoted in the Oakland Tribune and Hayward Daily Review, as follows:

If you value democracy you will not certify these hackable machines with secret mechanisms that are considered proprietary. You will dump Diebold [and] Elections Systems and Software.

This quotation is accurate and represents the views of our committee. Also, you should know that PhoeBe sits on the City of Berkeley's Peace and Justice Commission.

Respectfully yours,

Cynthia Johnson
Co-Chair, Social Justice Committee

cc:
Bruce McDannold
Election Systems Division
Office of the Secretary of State
1500 11th Street, 15th Floor
Sacramento, CA 95814
bmcdanno@ss.ca.gov

Rev. Lindi Ramsden
UU Legislative Ministry - California
926 J Street, Suite 417
Sacramento, CA 95814

Lee Lawrence
Chair, PCD Social Justice Action Committee
164 Valley Hill Drive
Moraga, CA 94556

Susan Leslie
Director for Congregational Advocacy and
Witness
Unitarian Universalist Association
25 Beacon Street
Boston, MA 02108

June 8, 2005

California Secretary of State
Bruce McPherson
1500 11th Street
Sacramento, California 95814

Dear Sir:

Because you serve as the chief elections officer of the State of California, you are the person whose attention some reforms that need to be implemented as soon as possible. Further, there needs to be a change in policy at the Voting Systems and Procedures panel hearings. The policy appears designed to limit input by both the public and expert witnesses.

In the last week a new notice has appeared on your website specifically regarding "public comment" at the VSP hearings. Electronic voting systems are by design not transparent. Because of that, the criteria for establishing the voter's confidence in them should be stricter. After they are in use, the voter basically votes in faith. This makes the process by which they are approved in this state even more critical. During the last year the Secretary of State's office developed a policy during these hearings that speakers or witnesses who needed more time to present their information or testimony could utilize the time reserved by another speaker. Not only was this a recognition that the voters of California have a direct interest in what voting systems they shall use to vote, it also reflected the established procedures contained in the VSP Procedures, specifically Article 9, section 901 and 906. Those two sections state that testimony and expert witnesses may present information to the VSP Panel at such hearings. It states that they may make prior arrangements for offering their testimony. The new notice appears to be both unreasonable under established California law, contrary to the Brown Act, and more importantly, designed to quash public input.

The new policy states: "PUBLIC COMMENT: Please note that persons interested in addressing the Voting Systems Panel (VSP) on any agenda item must fill out a speaker request form and present it to the VSP's administrative staff prior to the VSP's consideration of the item. Members of the public making presentations are limited to two (2) minutes per speaker which may only be used by that speaker."

Today a representative of the California Election Protection Coalition called for clarification. He was told there would be no exceptions, even for testimony from witnesses or expert witnesses. The limit would be two minutes. Prior to this, "public comment" was limited to three minutes. This new policy appear to be

contrary to the VSP Procedures which allows opponents of a voting system to offer "testimony or expert witnesses". This begs the question: Is public comment and testimony the same? Additionally, EC19204 states that the Secretary of State, prior to making a decision on a voting system, "shall hold a public hearing to give persons interested an opportunity to express their views for or against" the voting system.

The state Attorney General has offered an opinion that five minutes is a "reasonable" amount of time for "public comment". Case law has established that public comment time must be "reasonable....to insure the intent" of accommodating public comment. More important than even a specific time is the principle that time limits must be imposed neutrally and evenhandedly. In prior VSP hearings where the public was limited to three minutes, the vendors and election officials were allowed much longer periods of time for their comment. I call upon your office to clarify the difference between testimony by expert witnesses and representatives of organizations offered under Article 9 of the VSP Procedures, and ordinary public comment. I also ask that the two minute limit on public comment be increased and be transferable. From personal experience testifying before the VSP Panel, the two minutes is an unreasonable limit.

The entire process of evaluation of voting systems heretofore has been shrouded in secrecy, very similar to the testing and evaluation of voting systems by the federal ITAs. Election Code 19205 requires the Secretary of State to establish specifications and regulations governing the process that approves voting systems for use in this state. That has not been done. Currently the entire process keeps all interested parties other than the vendors and elections staff in the dark. That is unacceptable from a public policy standpoint, and appears to be contrary to the letter and spirit of the Election Code. Election Code 19207 appears to address this issue of transparency. It requires the Secretary of State to prepare a report within thirty days after completion of the examination of a voting system. If this report existed, then the public could make more informed decisions about whether they will support or oppose a proposed new voting system.

The public has a right to be involved in the certification process of proposed new voting systems. Part of that involvement is to know exactly what is being proposed, to be aware of testing and evaluation procedures and results, and to be able to provide informed comment and testimony prior to or at the VSP hearing. Currently that is neither possible nor permitted. The current agenda items being evaluated for certification are a prime example.

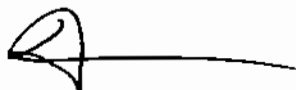
The deadline for submitting written comment is June 9 at 5 PM. Yet as of June 8 there is not available any staff report, executive summary, or adequate

description of the proposed voting system. That makes it impossible to offer informed comment. It also appears to be contrary to specific provisions of the EC19207. If that law was complied with, then interested persons could offer informed testimony and comment. Instead, it appears that the policy of the Elections Division for years has been to keep the public in the dark until the day of the hearing. That may be why, prior to the fall of 2003, the VSP hearings were sparsely attended. That is not the case now.

I urge your office to take steps to develop the required regulations, specifications, and processes by which voting systems will be evaluated and tested. It is required by law and would strengthen the public's confidence that every voting system in use in this state will be reliable, accurate, and secure from fraud or manipulation. I also ask you to instruct the Elections Division that the public's confidence in the voting systems that we use is more important than expediency. We do need more time than two minutes, and there must be procedures developed so testimony can be offered in an evenhanded and neutral manner.

I did appreciate that Kevin Shelley during his brief tenure instructed the Elections Division to be more forthcoming and transparent. Reports were appearing on the website in a more timely fashion. He was very concerned with the manner in which the elections staff appeared to be too close to the vendors. Rather than acting as a regulatory body they seemed to act as facilitators for the vendors. I trust that under your leadership the elections staff will act in the interest of the voters of California, not in the interests of election officials or vendors.

Regards,

A handwritten signature in black ink, consisting of a stylized 'J' followed by a horizontal line extending to the right.

Joseph Holder
1370 Trailwood Ave.
Manteca, CA 95336
415-570-0708

Joseph Holder
1370 Trailwood Ave.
Manteca, CA 95336

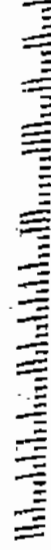
RECEIVED
SECRETARY OF STATE'S OFFICE

05 JUN 10 PM 2:41



Bruce McPherson
California Secretary of State
1500 11th Street
Sacramento, CA 95814

95314+3701





California National Organization for Women

926 J Street, Suite 424 Sacramento, CA 95814
916-442-3414 Fax: 916-442-4765 www.canow.org

June 14, 2005

The Honorable Bruce McPherson
Office Of Secretary of State
1500 11th Street
Sacramento, CA 95814-5701

Dear Mr. McPherson:

The California National Organization for Women (CANOW) urges you to not certify the Diebold Election Systems. Diebold has been known to mislead the State of California by providing uncertified software for use in elections. In March of 2004 polls opened late as a result of Diebold equipment being used which has since caused disenfranchisement among voters.

According to a staff report submitted in 2004 to then Secretary of State Kevin Shelley, Diebold installed its voting system in four California counties prior to full testing or federal qualification and without complying with to state certification requirements. In this report the staff found the "...actions of Diebold in relation to the TSx failed to meet the minimum standards of acceptability".

The head of Diebold, Walden O'Dell wrote in a fundraising letter to the Republican Party that he was "committed to helping Ohio deliver electoral votes to the president next year." This statement doesn't instill the confidence voters need in order to get them to the polls.

California NOW supports electronic voting systems that produce an auditable paper trail. California NOW also believes that in our Democracy we should not be contracting out our voting systems. It should be all done within our state government. Electronic voting systems were used in 2004 and it was reported that many errors had occurred.

Sincerely,

Helen Grieco
Executive Director

Est. 1972 with 80,000 members and donors, and chapters throughout the state

Megan Seely President ♦ Helen Grieco Executive Director ♦ Elizabeth McGovern Legislative Director ♦ Elena Perez Program Director
Rosemary DaSilva Political Affairs Director ♦ Mandy Benson Field Director ♦ Nikki Ragsac Executive Assistant
Rachel Allen Public Relations Director ♦ Iris Caplan Development Director



926 J STREET, SUITE 424
SACRAMENTO, CA 95814



**The Honorable Bruce McPherson
Office Of Secretary of State
1500 11th Street
Sacramento, CA 95814-5701**

RECEIVED
OFFICE OF THE
05 JUN 15 PM 1:09

10月16日 星期日

2337 Parker St. #7
Berkeley, CA 94704
June 8, 2005

RECEIVED
OFFICE OF THE
CLERK OF THE
STATE OF CALIFORNIA
JUN 10 PM 2:07

Dear Secretary McPherson,

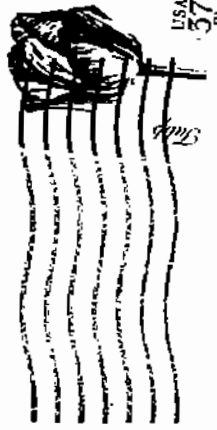
I understand that there will be a meeting on June 16, 2005, in Sacramento to discuss various methods of voting which may be accepted for elections coming up.

A voter-approved paper copy of his/her vote must be provided for every voter to see. This copy shall be under glass so that the voter sees it but cannot take it. This copy will be used for any recount.

I am concerned about the Diebold machines. How they keep the vote records is totally secret. I urge you to evaluate Diebold with great scepticism. There may be other machines - or even paper ballots that will be scanned, which provide a cheaper and more trustworthy vote count.

Sincerely,
Julia Craig

Julia Craig
2337 Parker St #7
Berkeley, CA 94704-2841

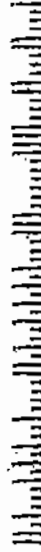


RECEIVED
SECRETARY OF STATE'S OFFICE
05 JUN 10 PM 2:07

Bruce McPherson
California Secretary of State
1500 11th St.
Sacramento, CA 95814

JS

5521418701



June 18, 2005
4422 Leon Street
San Diego, CA 92107

Secretary of State Bruce McPherson
1500 11th Street
Sacramento, CA 95814

Dear Secretary McPherson:

I am writing in regard to the VSPP hearings held June 16th on election equipment. It is imperative that VSPP panelists with conflicts of interest (such as a panelist who has lobbied for Diebold and another who is a major fundraiser for an incumbent) or who hold vested interests in voting systems, not be permitted to influence the choice of a system. It is already known that systems developed and promoted by partesan companies such as Diebold and ES&S can not be trusted.

We must have voter-verified paper ballots as the ballots of record, counted in every precinct with hefty compulsory audits in each precinct. HAVA (Help America Vote Act) money should not be spent on proprietary vote-counting systems, which can be hacked and changed by incompetents or miscreants. A better use of HAVA funds would be development of an open-source software, secure voting system which uses a voter-verified paper ballot.

Free and fair elections are crucial to a democracy. Please stand up for our rights to have every vote counted honestly and accurately!

Sincerely:



Ulrich Merten

cc: State Assemblyperson Lori Soldana
State Senator Christine Kehoe

V. Merten

4422 Leon

San Diego

SAN DIEGO CA 921

St.

20 JUN 05 PM 11T

CA

CELEBRATING ARMY

230th

BIRTHDAY

JUNE 14, 1975

92107

RECEIVED
SECRETARY OF STATE'S OFFICE
05 JUN 23 PM 1:35

Bruce McPherson
Secretary of State
1500 11th Street

San Francisco CA 95814



USA
57

We believe that this issue directly impacts your organization and interests.

Could you please see that this is passed through the SEIU mail system.

Attached is a copy of our, California Election Protection Network, letter to send to the SoS VSPP board requesting that Certification be denied to Diebold and the ES & S tabulators.

Although our chances are very slim, if Election Code 19214.5 is enforced, then Diebold would be prevented from supplying Software to their non AVVPAT systems which will be used in the "Special Election".

This is a result of the SoS VSPP hearing last week about the Certification for these systems. This is extremely serious. What we are now seeing is that it appears that the new systems coming through for certification are all wireless equipped. And the VSPP staff who are doing the certification testing are NOT including this fact in their reports. The letter is based on standards listed in the SoS Decertification orders for the Diebold TSx on Apr. 30, 2004.

We want to inundate the SoS with these letters. They must be in by June 24, 2005.

If you have any questions, please contact me.

Please send this letter out to your list and ask people to write their name and address at the bottom and FAX it in.

Thanks

MARC KEENBERG

CALIFORNIA ELECTION PROTECTION NETWORK

DEMETRIO DANTE, DR.
P.O. BOX 693185
STOCKTON, CA 95269

June 23, 2005

Office of Bruce McPherson
California Secretary of State
1500 – 11th Street
Sacramento, CA 95814

Attn: Mr. Bruce McDannold

Dear Mr. McDannold --

Please do not let the voting machine companies coerce the Secretary into a premature decision. As our voting population grows, and as the voting process seems to be getting more contentious, it is vital that our voting process be impeccable. This is the heart of democracy we are talking about!

What we have now is not perfect, but it is better to continue this, rather than push ahead to a system that cannot reliably verify nor recount voting results, should it become necessary. The integrity of our voting system must outweigh some artificial deadline.

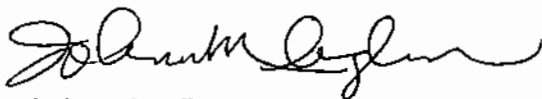
Volunteers, who are basic to our voting process, need accessible voter-verified paper ballots with an auditable trail, printed on archival paper in *readable font* on separate sheets for each ballot. The counties' vote counters should be able to easily handle the ballots, which must preserve confidentiality and not reveal the sequence of voters.

Further, please do not approve voting systems with wireless and Internet capabilities that compromise the integrity, secrecy, and security of the voting process. Every day we read of the damage from and access by hackers, manipulating our credit records, changing school grades, stealing identity. It is unthinkable to allow this kind of vulnerability into our voting system.

Legitimate questions have been raised, by citizens and county voting registrars, that the voting systems under consideration, especially Diebold, lack the voting security and integrity we need, *and* have systems that actually violate state law and constitutional guarantees of accessible, countable voting.

The Secretary is a calm and rational man. Despite great pressure to 'just do something.' I pray he will resist the pressure, honoring the spirit and the letter of protecting our constitutional, democratic right to safe, secret voting.

Thank you,



JoAnn Anglin
2988 – 64th Street
Sacramento, CA 95817

6/22/05

California Secretary of State
Office of Elections Division

Do not certify Diebold voting equipment.

- Diebold has been unreliable.
- Diebold software is not Open Source.
- Diebold systems have security gaps.
- Diebold is costly.

Please protect our voting integrity
and reject Diebold.

Irwin Luckman

FAX TO:

Voting Systems and Procedures Panel (VSPP)
Office of the California Secretary of State
Attn. Bruce McDannold
FAX (916) 653-3214
Tel. (916) 657-2166,

Dear Sir, The purpose of this fax is to convey to you my request that you decertify in California the following:

- 1. DIEBOLD GEMS 1.18.22 AV-TSX 4.6.1 VOTING SYSTEM with The ACCU VIEW PRINTER MODULE**
- 2. E S & S TABULATORS, Models 100, 550, and 650**
- 3. Any System with Wireless and Internet Capabilities**
- and
- 4. BAN DIEBOLD from doing business in California**

In order to protect, preserve and defend the Sanctity of the Vote, I hereby request that State Certification be denied to the above mentioned voting systems and equipment as they are in violation of the following:

CALIFORNIA CONSTITUTION**ARTICLE 2 VOTING, INITIATIVE AND REFERENDUM, AND RECALL****SECTION 1. All political power is inherent in the people.**

Government is instituted for their protection, security, and benefit, and they have the right to alter or reform it when the public good may require.

SEC. 2.5. A voter who casts a vote in an election in accordance with the laws of this State shall have that vote counted.

TABULATING SYSTEMS SOFTWARE:

Both the Diebold System and the E S & S Tabulators operate on Proprietary Closed Source Code Software, their tabulating processes are so secretive and hidden from public scrutiny and observation as to make the verification and observation process hidden and non transparent to the Voter. This is antithetical to the very foundation of American Democracy.

AVVPAT:

The so called AVVPAT on the Diebold is so small as to be unreadable to Voters with less than perfect eyesight, making it prejudicial and discriminatory towards voters with any form of eyesight disability. Further, due to its minuscule small size, the Diebold AVVPAT is so small as to make it impossible for the voter to properly review their choices in one continuous viewing. This small size only serves the needs of Diebold, it does not serve the needs of the voters. The small text size would increase the cost and difficulty of a recount and its accuracy would be compromised. Even worse, the paper is Thermal Paper, decreasing the shelf life readability, rendering it useless for a meaningful recount and not in compliance for the 22 month mandatory ballot retention laws. The ONLY acceptable and valid AVVPAT is one filled out by the hand of the voter, not a replica or copy of how the machine voted.

WIRELESS and INTERNET CAPABILITIES:

This functionality MUST be denied as it compromises the entire integrity, secrecy, and security of the voting process. Any knowledgeable hacker with a good encryption cracking program can access and corrupt and alter the voting data in a matter of minutes. The E S & S tabulators have a Dell Laptop which contains wireless equipped functionalities.

BAN DIEBOLD FROM DOING BUSINESS IN CALIFORNIA FOR 3 YEARS:

Enforce California Election Code Section 19214.5, Subsection (a) and (3) due to their Criminal Acts of Defrauding 17 California Counties in the sale of Uncertified Software.

From:  M. Green, Palo Alto, CA

June 24th. 2005

Voting Systems and Procedures Panel
Office of the California Secretary of State
1500 11th Street, 5th Floor
Sacramento, CA 95814

Dear Secretary of State McPherson:

I am writing to ask that you deny certification to the following voting systems as they would violate California's Constitution, article 2.5 *A voter who casts a vote in an election in accordance with the laws of this state shall have that vote counted.*

1. Diebold Gens with ACCU View printer module.
2. ES & S Tabulators, Models 100, 550, 650.
3. Any system with wireless and internet capabilities.

Additionally, the alternative offered by Diebold which would produce the thermal paper would make recounts too costly and too difficult to count. We need to maintain integrity with accessible voter verified paper ballots printed on archival paper. Optical scan with stamp cards would be most efficient and easily recounted in the event of any challenges.

Furthermore, any usage of a closed source code software hinders the American, democratic process of fair access and freedom of information.

As an official in this great State, I hope you do what is fair and just for all and plead to your sense of integrity.

Best,



Mary Pallant
11684 Ventura Bl. #429
Studio City, CA 91604

PHYLLIS A. HUSTER

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Mr. Bruce McDannold	Phyllis A. Huster
COMPANY:	DATE:
California VSPP Member	6/20/2005
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
(916) 653-3214	41
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
	770.432.0199 office 404.795.1013 fax
RE:	YOUR REFERENCE NUMBER:
Powerpoint, Georgia DRE Machine Probs	

☒ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Dear Mr. McDannold:

I have spent 6 months and thousands of dollars along with 100+ other Georgia citizens and in cooperation with 10 national organizations to audit the Georgia Election. Georgia is 100% Diebold. I wanted your team to review my findings before choosing DRE machines for California. Enclosed is my 10 Reasons Not To Buy DRE Machines!

Please make the right decision for Californians.... Choose a nontechnological way to provide paper ballots and handcount these ballots in the precincts in full view of citizens election day. Nothing short of this will mean the votes are counted accurately.

Please read this document in its entirety, it has proof of Georgia Diebold Election Mistabulation and shows the problems with DRE machines in very simple readability.

Phyllis A. Huster

770.432.0199 office 404.795.1013 fax

Phyllis@countpaperballots.com email

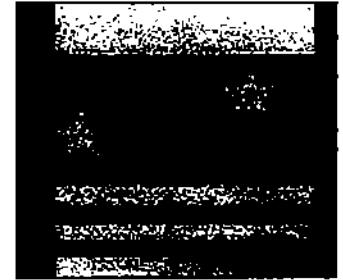
1408 LAKES DR. • ATLANTA, GA 30339 • 770.432.0199 • 404.795.1013 (FAX) •
PHYLLIS@COUNTPAPERBALLOTS.COM

count paper ballots



enfranchise (en-fran'chiz)

To endow with rights of citizenship, especially the right to vote. To free, as from bondage.



June 20, 2005

Dear Bruce McDannold:

I am pleased that your panel is taking the time to review carefully citizen results of Diebold related problems and that you will consider carefully the machines Californias uses for its citizens to vote.

I have spent 6 months in Georgia with hundreds of citizens doing a "citizen audit" of the Georgia Election 2004 Election. This powerpoint is a partial accumulation of the numerous (18 total categories) of problems we encountered. We feel that Diebold aside from the fact that computer software can be modified without trace, we feel that Diebold technology a. complicates the process b. introduces uncertainty as to who to believe because of the ballot recap sheets, summary reports and final tallies that are all inconsistent and c. makes a true audit impossible because of the conflicting documents. A full overview of my Bibb County Analysis is online at this website:

<http://www.countpaperballots.com/bibb.htm>

This presentation may be reviewed at this site:

www.countpaperballots.com/GA-DoNotBuyDiebold200.htm

We are preparing for legal action so this is the best data I can provide at the moment. I am also including as an attachment a 40 page powerpoint for WHY NOT TO BUY DRE MACHINES with detailed Georgia evidence on why these machines fail miserably and lose hundreds of votes per precinct putting into question many lower races and ultimately the scale of the errors are enough to put into question the pres. and senate races statewide.

I know this is a lot of data, so I'd like to offer my expertise by conference call at anytime to your panel to walk you through the powerpoint and hopefully highlight the specific documented evidence of vote mistabulation in Georgia that will convince you to buy anything but DRE machines for your counties.

Count Paper ballots feels strongly that hand counted paper ballots, election night in full view of citizens and citizen secured to place of counting is the only effective method of conducting elections. We feel any automation introduces the opportunity for fraud and must be prevented from entering our elections. We have designed a better ballot and a better ballot box to fix the ballot stuffing and overvote/undervote problems of olden days and I'd like to again, provide my expertise to your group at any time to share such ideas with your staff.

I hope to hear from you and your staff. I can be reached at 770.432.0199 or by return email. Good luck and we are all looking for your staff to make the right decision for the citizens of California.

Sincerely,

A handwritten signature in black ink, appearing to read "Phyllis A. Huster". The signature is stylized and fluid.

Phyllis A. Huster
Executive Director
Count Paper Ballots
770.432.0199 Main Phyllis@countpaperballots.com

10 Reasons NOT To Buy DRE Voting Machines!!

(Just say "No" to Diebold/ES&S/Triad)

Seeking the Truth about Georgia's Privatized Elections

**Includes Evidence of Election
Fraud From Official GA Election Data**

**April 28, 2005
Version 5.2-CA**

Email: phyllis@countpaperballots.com

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Disclaimer

Georgia Citizens Have spent over \$10K out of Pocket To purchase 28 Counties of Georgia's Full Election Data have To Prove Electronic Voting Machine Fraud

Disclaimer: This is an Unofficial Release
Of Georgia Election 2004 Citizen AuditData.
These documents listed in this powerpoint are official Georgia Open Records
Requests of the counties and represent OFFICIALLY
RELEASED Georgia Election Data. An Official Report will be Released in Late
May and will be peer reviewed.

Thanks to all who helped make this report possible! :)

For a copy of the Official report, email helpnow@countpaperballots.com

10 Reasons to say NO To DRE Machines

Why Not to Purchase Electronic Voting Systems (DRE)

DRE MACHINES:

1. **ARE TOO EXPENSIVE**
2. **FRAUDULENTLY** Mistabulate Votes (GA Examples)
3. **ARE INSECURE** & Easy To Manipulate Thru Hacking, Stolen Equipment
4. **HAVE PROVEN STATEWIDE FAILURES (MD)** & Had Uncertified Software Resulting in \$2.6M Lawsuit Against Diebold (CA)
Drive Counties to **GO BACK TO PAPER (MIAMI-DADE)**
6. **BREAK THE VOTER CHAIN** Chain Of Custody 4 Times
7. **SECRETLY COUNT OUR VOTES**, Provide No Option for "Votes being counted in FULL CITIZEN VIEW"
8. **ARE UNAUDITABLE**, No Paper Ballots Make Recounts Impossible & Prohibitively Expensive
9. **ARE PROVEN PROBLEMATIC** by Bev Harris, Nation's DRE Expert
10. **VENDORS HAVE DISTURBING** Financial & Political Ties & Threatens US

Email: phyllis@countpaperballots.com

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(1) DRES Are Too Expensive

Considering Buying Diebold? You probably Can't Afford It

COSTS

WHO PAYS

GA Original Diebold Equipment \$53.9M for 24,500 Machines Statewide
Diebold Maintenance Contract (Per County, \$93/machine, Per Year) i.e. DouglasCounty pays \$23,000 unfunded

HAVA Funded

County (no state or HAVA funding)

Diebold Technician Costs \$1500 per day / 3 Day Minimum(2) \$4500

County (no state/Hava funding)

Municipality Rented Equipment Unknown

Municipality (no State/Hava Funding)

Diebold Printers / Estimate for MD \$20M-\$73M(From 300-\$1200/Printer)

County (No State or HAVA funding)

(1) Source: Douglas County Georgia, truevotemd.org and KSU Kennesaw State University Center for Election Employee
(2) Source: Georgia County Election Official

COUNT

PER

BUDGETS

Example True Cost of Statewide Diebold

Average of 16% More Paid by County Than Quoted

1,000 Machines Original Purchase,
roughly \$2,500 / machine

TECHNICIAN: 2 weeks During Election,
Post Election (12 days)

Maintenance Contract in Year 2

Printers if they are required (estimated @
\$300 per printer)

County Actual Estimated Cost

\$2.5M (Paid by HAVA)

$12 \times \$1500 = \$16,000$

$\$93 \times 1,000 = \$93,000$

$1,000 \times \$300 = \$300,000$

\$409,000 beyond quote...
16% more than Diebold says

24,500 Diebold machines handle roughly 3.2M Georgia Voters
Average Federal Goal is 1 Machine for every 200 Voters

5.com

NY Verified Voting

OptiScans Over 50% Less than DRE Machines

NYVV Acquisition Cost Comparison

On April 13, 2005, New Yorkers for Verified Voting released an Acquisition Cost Analysis comparing the purchase costs of DREs vs. Optical scan systems for all counties in New York State showing the following analysis:

Electronic voting machines (DREs)	\$230,473,000
Paper Ballots & Precinct based Optical Scan	\$114,423,640
Cost SAVINGS from OPTICAL SCAN:	+++\$116,049,360

Source: You can download a copy here:

<http://nyvv.org/doc/AcquisitionCostDREvOptScanNYS.pdf>

Email: phyllis@countpaperballots.com

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COUNT

PER

POINTS

(2) DREs Fraudulently MisTabulate Votes

18 Problem / Inaccuracy / Fraud Categories

NUMERIC PROBLEMS

- (1) PHANTOM Votes: Fewer Registered Voters than Total Votes
- (2) TURNOUT Problems: Higher than 100% Turnout Rates
- (3) UNDERVOTE Problems: Inaccurate reported undervotes
- (4) Diebold Vs. Diebold Problems (e.g. DRE Tape Vs. Recap Math Errors)
- (5) Provisional Ballot Recap Vs. Provisional SOVC
- (6) Absentee Ballot Recap Vs. Absentee SOVC
- (7) Absentee + Provisional + DRE Votes Don't Add up to Election Summary Reported

SECURITY PROBLEMS

- (8) Security Seals Broken Before Election
- (9) Security Seals Modified
- (10) Stolen Machinery
- (11) Uncertified Software on Machines

PROCEDURAL / SIGNATURE PROBLEMS

- (12) Lack of 3 Signatures on DRE Tapes
- (13) Unsigned Absentee Ballot Recap
- (14) Unsigned Provisional Ballot Recap
- (15) Unsigned DRE Ballot Recap
- (16) No Diebold Pollworker Oaths

MACHINE MALFUNCTIONS

- (17) DRE Touchscreen Malfunctions
 - Switching Votes
 - BootUp Problems
 - Complete Crash (out of commission)
- (18) GEMS Server Malfunctions
 - Corrupted / Invalid Database Info
 - Windows Locks

Election Fraud Defined

On Recommendation from Federal Election Commission Official

BARBERA ARNWINE said at 04/18 Baker-Carter Election Reform Commission Hearing

"In order to effectively respond to misconduct in the election system, election fraud should have a much broader definition. It should include conduct of poll workers and election officials and should include deceptive practices and intimidation. Election fraud consists of any conduct that has the effect of restricting access to the ballot."

ELECTION FRAUD IS

ANY ACT OR DEED THAT including conduct of Poll workers or election officials Which includes deceptive practices or intimidation and has the effect of restricting

Access to the ballot. This includes

SECRET VOTE COUNTING, MISTABULATION,
MACHINE ERRORS, VOTE MANIPULATION AND

PROCESS PROBLEMS RESULTING

IN A PERSON'S VOTE NOT BEING CAST

AS INTENDED OR COUNTED IN F

Email: phyllis@countpaperballots.com

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CITIZEN VIEW

Typical SOVC to Recap Mismatches

Which are the right numbers?

DATE OF ELECTION November 2, 2004
COUNTY / MUNICIPALITY CLINCH
PRECINCT Homerville (Posts 1-5)

TIME LAST VOTER VOTED	7.50 PM
NUMBER OF REGISTERED VOTERS IN PRECINCT	0802

None of
These
Numbers
Match &
They should!
DRE Recaps
Don't match
SOVC Report
** Evidence
Of Fraud!!

From CLINCH SOVC Report

Homeville Rolling OS Abuse

OS Abbeley Provisional

2803	1272	13.60%
2807	0	0.00%

All Documents from Official Open Records Request of Clinch County

ELECTION: (Check One)

- ☒ General
☐ Presidential Preference Primary
☐ Primary
☐ Special
☐ Runoff (if applicable)

(USE BALL POINT PEN)
 Great Design — You Are Making Three Copies

WHITE sheet to Secretary of State
 YELLOW sheet to Superintendent
 PINK sheet to Clerk of Superior Court

DATE OF ELECTION November 2, 2004COUNTY / MUNICIPALITY MississippiPRECINCT precinct 2

TIME LAST VOTER VOTED 6:58
 NUMBER OF REGISTERED
 VOTERS IN PRECINCT 2,050

DIRECT RECORD ELECTRONIC VOTING MACHINE RECAP

SECTION A: RECORD EACH UNIT

DR# UNIT NUMBER	Before Polls Open SEAL NUMBER	Before Polls Open COUNT NUMBER	After Polls Close SEAL NUMBER	After Polls Close COUNT NUMBER
1 155435	9313	0	038451	159
2 155435	9313	0	038451	153
3 155435	9313	0	038451	154
4 155435	9313	0	038451	154
5 155435	9313	0	038451	154
6 155435	9313	0	038451	154
7 155435	9313	0	038451	154
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98 155435	9313	0	038451	154
99 155435	9313	0	038451	154
100 155435	9313	0	038451	154

SECTION B: TOTAL OF ALL VOTES CAST (ALL UNITS COMBINED)

SECTION C: NUMBER OF PERSONS VOTING:

- Total number voting as shown by the Accumulator Residual Tape 1111
- Total number voting as shown on all Numbered List of Voters (for primary total all lists) 1111
- Total number voting as shown by Electors List 1111
- Total number voting as shown by Voter Certificates (for primary total all lists) 1111

Note: Lines 1, 2, 3 and 4 should all be the same and should equal the total in Section B.
 If not explain difference here: _____

We, the undersigned Managers, hereby certify that the above is a true and correct accounting on this
 day of June, 2005 SIGNED IN TRIPPLICATE

Manager PhyllisAssistant Manager Phyllis

**MACHINE
 FAILURES**
 2nd Line Under
 ? *

There is NO
 Number, The Note
 at the Bottom says
 *Machine would
 not accumulate

**RESULT 79 Voters
 Votes WERE NOT
 COUNTED AT ALL
 or 5% of the
 Precinct**

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TAKE LAST VOTER VOTED
NUMBER OF REGISTERED
VOTERS IN PRECINCT
1458

After Polls Close

[illegible]

if $\bar{A} \neq \emptyset$, then $\bar{A} \cap \bar{B} \neq \emptyset$.

Problems:

1. PHANTOM VOTES
2. Security Seal CrossOuts
3. Extensive Pollworker Notes

DATE OF ELECTION 11-2-2004 TIME LAST VOTER VOTED 7:00
COUNTY / MUNICIPALITY Jefferson NUMBER OF REGISTERED VOTERS IN PRECINCT 283
PRECINCT 1593

DIRECT RECORD ELECTRONIC VOTING MACHINE RECAP

SECTION A: RECORD EACH UNIT		Before Polls Open		After Polls Close	
DRE UNIT NUMBER	SEAL NUMBER	COUNT NUMBER	SEAL NUMBER	COUNT NUMBER	
142052					
142053					
142054					
142055					
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142059					
142060					
142061					
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142354					
142355					
142356					

PINK shiner in Circle of Superior Court

DATE OF ELECTION Mar 2, 2004

COUNTY / MUNICIPALITY Wash. Co.

PRECINCT 11616

TIME LAST VOTER VOTED	7:03
NUMBER OF REGISTERED	1255
VOTERS IN PRECINCT	

DIRECT RECORD ELECTRONIC VOTING MACHINE RECAP

SECTION A: RECORD EACH UNIT

Before Polls Open	Before Polls Open	After Polls Close	After Polls Close
SEAL NUMBER	COUNT	SEAL NUMBER	COUNT
029834	108	0240627	108
128177	110	0210031	105
128009	105	0200630	106
128197	107	0210631	107
121554	125	0290632	125
115781	125	0210633	125
115665	125		

SECTION 13: TOTAL OF ALL VOTES CAST (ALL UNITS COMBINED)

SECTION C: NUMBER OF PERSONS VOTING:

- 1 Total number voting as shown by the Accumulator Results Tape
2 Total number voting as shown on all Numbered List of Voters (for primary; total on list)
- | Democratic Numbered List | Republican Numbered List | Nonpartisan Numbered List |
|--------------------------|--------------------------|---------------------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

- | 3. Total number voting as shown by Elections List | 4. Total number voting as shown by Voter Certificates (for primary; total all list) |
|---|---|
| | Democratic Voter Certificates |
| | Republican Voter Certificates |
| | Nonpartisan Voter Certificates |

Note: Lines 1, 2, 3 and 4 should all be the same and should equal the total in Section B. If not explain difference here: difference of 621 is entered on the previous line

154 + 18 = 172

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**PHANTOM
VOTES=
More Machine
Votes Than
Voters**

**JEFFERSON
COUNTY**

COMINT
REPORT
RESULTS

(2) DRES Fraudulently MisTabulate Votes

Absentee Turnout Rates Over 100% (how is that?)

Cards Cast Report Randolph County, Georgia November 2, 2004 General Official Results

Date: Nov 03, 2004
 Time: 01:06 PM
 Page: 1 of 1

District/Report	VG Group 1	VG Group 2	Cord	Balder	Cast	Voters	Percent
Jurisdiction Wide	NP	NP	1	1	253	263	96.20
Absentee	NP	NP	2	2	18	0	
	NP	NP	3	3	161	89	180.90
	NP	NP	4	4	456	256	178.13
	NP	NP	5	5	139	0	
Absentee - Total	TOTAL	NP			1027	603	168.21

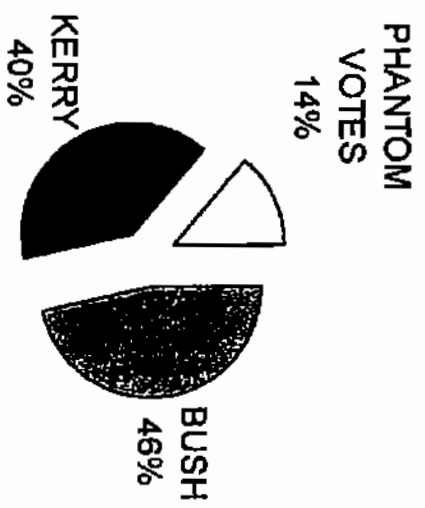
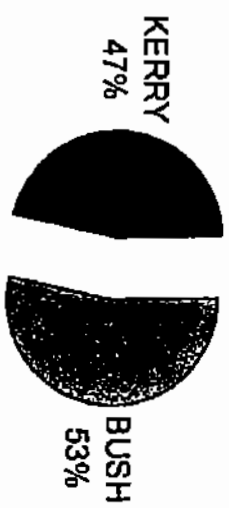
**I smell
 A Rat!**

**How can you have 89 Voters and 161 Cards cast
 And the Turnout Percentage be 180.90%...Impossible to
 Have this many cards cast with these few voters...**

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OFFICIAL Results



**Randolph
County
AFTER AUDIT
RESULTS**

**ENOUGH
PHANTOM
VOTES
TO MAKE**

**THE WINNER OF
KERRY / BUSH
RACE**

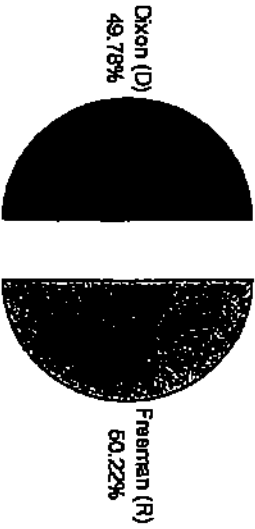
**UNCERTAIN
Other Races**

**Affected:
PSC
Court of Appeals
Judge**

COUNT
R
B
ST

Joan Dixon House Rep. Dist. 140 Race Affected by Machine Failure

Official Results



(R) FREEMAN (D) DIXON

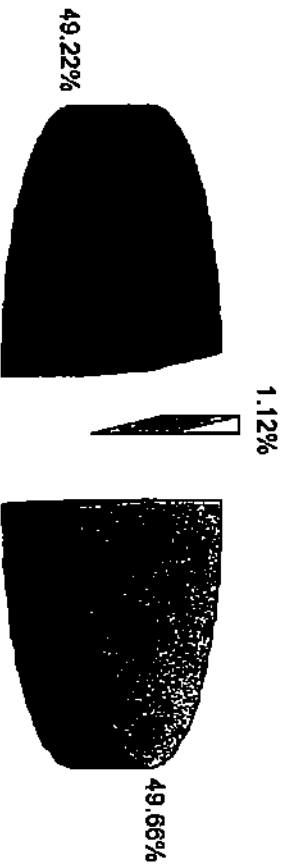
9,079 8,999
50.20% 49.80%

County		
BIBB	3,852	1,950
JONES	1,945	1,873
TWIGGS	1,825	2,273
WILKINSON	1,457	2,903
	9,079	8,999

Lost By

-80

Restated Dixon Race Results House Dist. 140



Freeman (R) Dixon (D) Phantom Votes

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COMMITTEE
RECORDS

(2) DRES Fraudulently MisTabulate Votes

Oh Yeah, and Security Seal Problems out the Yin Yang...

**What kind of security process allows opening machines
2 weeks before election and County election
Officials authorized to put NEW Security seals locally?**

COUNTY / MUNICIPALITY Clinch TIME LAST VOTER VOTED 6:54 AM
PRECINCT ARABIA (POST 2) NUMBER OF REGISTERED VOTERS IN PRECINCT 96

DIRECT RECORD ELECTRONIC VOTING MACHINE RECAP

SECTION A: RECORD EACH UNIT

DRE UNIT NUMBER	Before Polls Open SEAL NUMBER	After Polls Close SEAL NUMBER	Before Polls Open COUNT NUMBER	After Polls Close COUNT NUMBER
122231	-029453- *	0	0	35
	029411	0077023		
136753	-029425- *	0	0	32
	029450	0077039		

* There was water damage to storage room where TS units are stored.

Both units were opened to see if water was inside storage case and machines were turned on to see if they "booted up". No water was found inside cases and machines did turn on. New seals were attached to cases for security purposes. *J.P. O'Neil*

John O'Neil

PHYLLIS A. HUSTER

FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Mr. Bruce McDannold	Phyllis A. Huster
COMPANY:	DATE:
California VSPP Member	6/20/2005
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER:
(916) 653-3214	41
PHONE NUMBER:	SENDER'S REFERENCE NUMBER:
	770.432.0199 office 404.795.1013 fax
RE:	YOUR REFERENCE NUMBER:
Powerpoint, Georgia DRE Machine Probs	

☒ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Dear Mr. McDannold:

I have spent 6 months and thousands of dollars along with 100+ other Georgia citizens and in cooperation with 10 national organizations to audit the Georgia Election. Georgia is 100% Diebold. I wanted your team to review my findings before choosing DRE machines for California. Enclosed is my 10 Reasons Not To Buy DRE Machines!

Please make the right decision for Californians.... Choose a nontechnological way to provide paper ballots and handcount these ballots in the precincts in full view of citizens election day. Nothing short of this will mean the votes are counted accurately.

Please read this document in its entirety, it has proof of Georgia Diebold Election Mistabulation and shows the problems with DRE machines in very simple readability.

Phyllis A. Huster

770.432.0199 office 404.795.1013 fax

Phyllis@countpaperballots.com email

**COUNT
POWER
ELECTS**

(2) DREs Fraudulently MisTabulate Votes

How About Provisionals, Where are my Provisionals?

No. 1 of 1 sheet(s)
 While present in Secretary of State
 Yellow Sheet to Superintendent
 Pink Sheet to Clerk of Superior Court
 or City Clerk
 Delivered to the Registrar's Office

UNLAWFUL POSITION
 From Thru Your Vote Making Four Copies

**NUMBERED LIST
OF PROVISIONAL
VOTERS**

☐ Republican Primary/Primary Runoff
☐ Democratic Primary/Primary Runoff
☐ Nonpartisan Election/Runoff
☐ General Election/Official Election Runoff
☐ Special Election/Special Election Runoff

who voted in the 2nd day of November 20 04
 in the Courthouse Precinct of Baldwin County Georgia, to wit:

* Provisional Code
 XX Person whose name does not
 appear on election list
 IS Voter who registered for first
 time by mail in Georgia but did
 not provide valid identification
 EH Voter who is casting a ballot
 during extended poll hours as
 a result of a court order

NO.	NAME OF VOTER	PRECINCT	REMARKS	RECEIVED	RECEIVED
1	Coak, Teri Lee	PR			
2	Spikes, Michael Ladrea	PR			
3	Crave, Colleen	PR			

Statement of Votes Cast
 Baldwin County
 State of Georgia General Elect
 November 2, 2004
 SOVC For Jurisdiction Wide, All Counts
 Official Results

TURN OUT			
	Reg. Voters	Cards Cast	% Turnout
OS Absentee/Provisional	1077	0	0.00%
Total	1077	731	67.87%
Absentee	0	0	0
Polling	0	3598	
OS Absentee/Provisional	0	3598	
Total	0	3598	
Prim/Genl	0	0	0
Polling	0	3	3
OS Absentee/Provisional	0	3	
Total	0	3	
Total	18512	11071	59.80%
Polling	18512	3601	19.45%
OS Absentee/Provisional	18512	14672	79.26%

**REJECTED!
REJECTED!
Precinct by Precinct,
With only 3 Provisionals out of 3604
Total Absentee/Provisionals Cards Cast out of
14,672 Voters, How do we know the
Machines tallied provisionals 'accurately'**

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COUNT
PAPER
BALLOTS

(3) DREs are Insecure Easy to Hack and Susceptible to Stolen Equipment Breaches

"The biggest turnout in history had no chance to win this election or any other unless the programmers of the voting machine allowed it. I believe they will allow it less and less as the machines control the elections and the Republicans control the machines." - Clint Curtis

Clint Curtis testified before Senate Judiciary investigation, swore under federal oath and took and passed a lie detector. His testimony includes information that Tom Feeney Republican Majority Leader in FL personally asked him to write software that would alter the vote and be undetectable. His website: www.justaflyonthewall.com entire 2 year saga captured at www.bradblog.com

"ABOUT 50 MILLION Americans will cast their ballots for president on touch-screen terminals Tuesday. If my experience as an election judge is any guide, voters will love these machines, which are generally easy to use and which easily accommodate voters who have disabilities or do not speak English. And if my experience as a computer scientist is any guide, those voters will not realize just how dangerous it is to rely on these machines to conduct a free and fair election with a reliable result." - Avi Rubin, Professor of Computer Science at Johns Hopkins October 27th, OPEd Baltimore Sun / wrote a report on how Diebold machines are not secure <http://avirubin.com/vote/analysis/index.html>

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COUNT
PAPER
ELECTIONS

(4) Have Proven Statewide Failures

CA False Claims Suit Settled by Diebold for \$2.6M Alleged Uncertified software and insecurity of Diebold Touchscreens

II. ISSUES AND SHORT ANSWERS

A. Issue: Whether the use of an uncertified voting system is illegal? **Short**

Answer: Yes. All voting systems must be approved by the Secretary of State before use in any election. See Cal. Elec. Code § 19201.

B. Issue: Whether Diebold breached the Agreement if it provided Alameda County with an uncertified voting system? **Short Answer:** Most likely. If Diebold provided Alameda County with an uncertified voting system that was used in an election, then Diebold most likely breached provisions of the Agreement requiring Diebold to comply with all applicable laws.

C. Issue: What are the consequences if Diebold breached the Agreement? **Short Answer:** If Diebold materially breached the Agreement, Alameda County can terminate the Agreement and sue for damages.

Paragraph 38, section C: "The System to be delivered under this Agreement shall be new when delivered and in accordance with all specifications as stated in this Agreement; and *shall be in the same configuration as has already been certified for this System by the California Secretary of State.*" (emphasis added)

SOURCE: <http://media.mnginteractive.com/media/paper190/alamedacountyagreement>

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COUNT
F
B

(4) Have Proven Statewide Failures

Statewide Machine Failures Sited

"Election Day was anything but smooth. Votes were lost, computer cards storing votes were unreadable, thousands of error messages were reported, machines froze in mid-voting and machines refused to boot up. The problems with the machines were so widespread and serious that efforts to hide the problems have failed," said Linda Schade, director of TrueVoteMD.org.

DIEBOLD UNABLE TO RESOLVE TECHNICAL FAILURE FOUR MONTHS AFTER ELECTION After IT examinations within Maryland failed to decipher the root of these problems, the State Board and Diebold sent voting machines to several out-of-state locations in Texas and Ohio for further testing, according to a Diebold memo dated February 16, 2005. As of the March 3, Montgomery County Election Board meeting, the PC memory card problems as well as those listed above cannot be explained by Diebold, according to the IT report.

UNREADABLE PC MEMORY CARDS Multiple sources also have revealed that the computer memory cards where vote totals are stored inside each voting machine were unreadable in multiple counties.

VOTES LOST According to the IT Report to the Montgomery County Election Board, dated December 13, 2004 there were two broad levels of problems. Seven percent of units (189) failed

MACHINE FAILURES STATEWIDE Montgomery County Elections official Sam Statland has acknowledged that local boards around the state are gravely concerned about the Diebold system's performance and are pressuring the State Board of Elections for answers.

TRUEVOTEMD CALLS FOR INDEPENDENT REVIEW AND DECERTIFICATION OF MACHINES AS REQUIRED BY LAW This information is confirmed by TrueVoteMD's Election Day report "When the Right to Vote Goes Wrong: Md Voters Tell The Story of Election Day 2004" <http://www.truevotemd.org/Resources/MDproblems04map.pdf>.

Source: http://www.truevotemd.org/Press_releases/html/2005-03-08_Press_Release.html

m

COUNT
PER
BOTS

(5) Drives Counties to Go Back to Paper

Miami-Dade County Going Back to Paper

Miami-Dade County officials are studying whether to replace an expensive, controversial touch-screen voting system after a series of mishaps. BY NOAKI SCHWARTZ

Three years after spending \$24.5 million to install a controversial touch-screen voting system, Miami-Dade County elections officials have been asked to study scrapping the system in favor of paper-based balloting. The request from County Manager George Burgess follows the recent resignation of Elections Supervisor Constance Kaplan and the revelation that hundreds of votes in recent elections hadn't been counted.

County officials say the machines have more than tripled Election Day costs. "It's a confluence of bad facts," said Lida Rodriguez-Taseff, head of the Miami-Dade Election Reform Coalition and a longtime critic of the elections department. "You have lousy technology that doesn't inspire voter confidence combined with outrageous costs for that lousy technology."

"What I've noticed about this system from the very beginning is that there are so many things that can happen and, therefore, maybe it's not the system we should've gotten years ago," said Mayor Carlos Alvarez, who met with Burgess and elections officials Monday to discuss the issue. Any change would stir controversy after the county spent millions in 2002 to become one of the larger clients of Election Systems & Software, which makes iVotronic. But county officials say ensuring voter confidence is crucial. **"Sometimes lessons are expensive,"** said County Commissioner Katy Sorenson, who said she will wait for the manager's report before weighing in on the machines....

a staffer's coding error had led to hundreds of ballots being thrown out in last month's special referendum on slots. Kaplan said the number of missing votes would not have affected the election's outcome, but the same error was found in five other municipal elections. Amid the problems, the cost of the actual elections -- about one countywide and 30 or so municipal races per year -- has increased. Sola said the Nov. 2 countywide election cost **\$6.6 million because of increased labor costs to program the machines, set up the equipment and print backup ballots.**

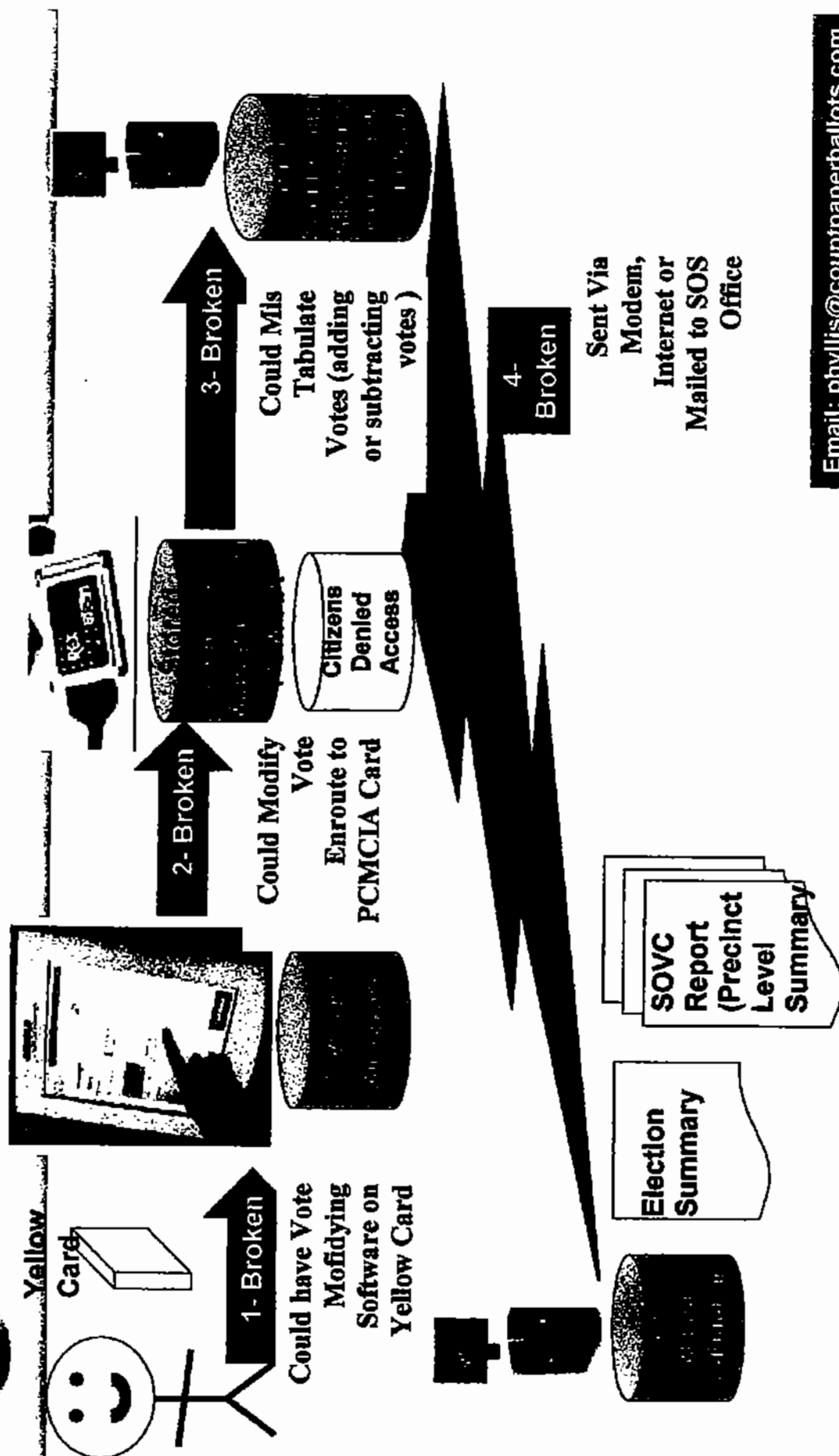
**Though this is ES&S Technology,
Indicative of DRE Machine Failures**

Tue, Apr. 12, 2005 <http://www.miami.com/mld/miamiherald/11370895.htm>

COUNT PAPER ELECTIONS

(6) It Breaks Voter Chain of Custody 4 Times

Votes Passes Thru 10 Software Systems Before Being Listed by SOS Office



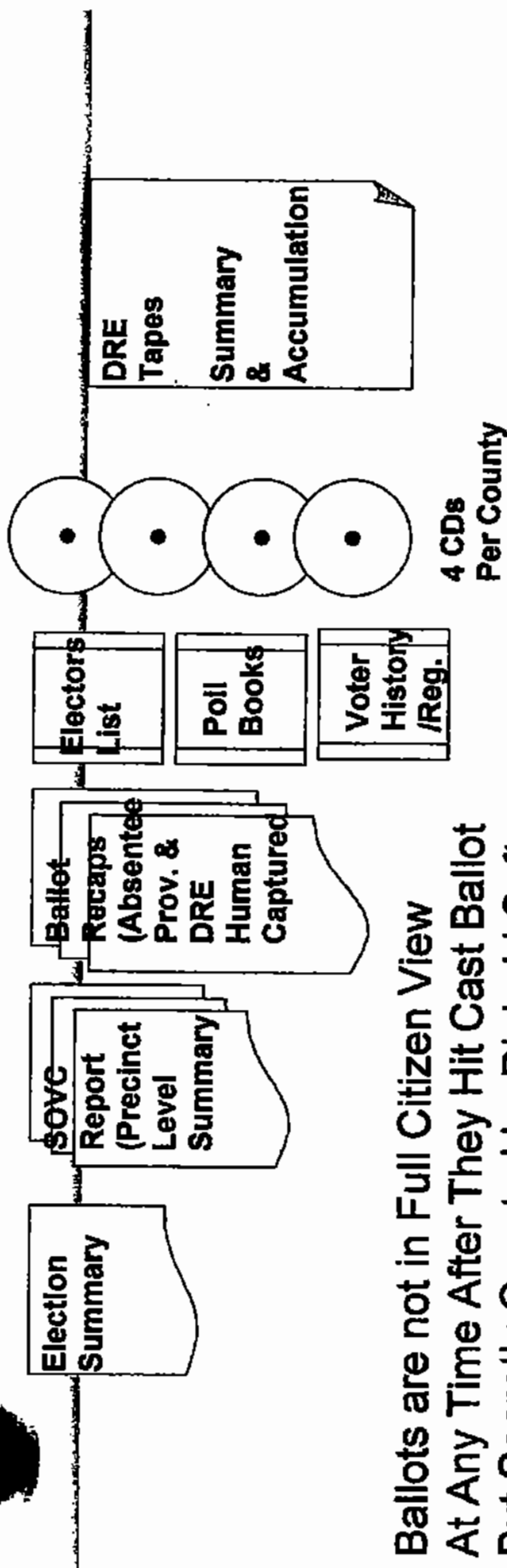
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COUNTS**

(6) It Breaks Voter Chain of Custody 4 Times

In Georgia, We've Found Major Inaccuracies and Mismatches between....



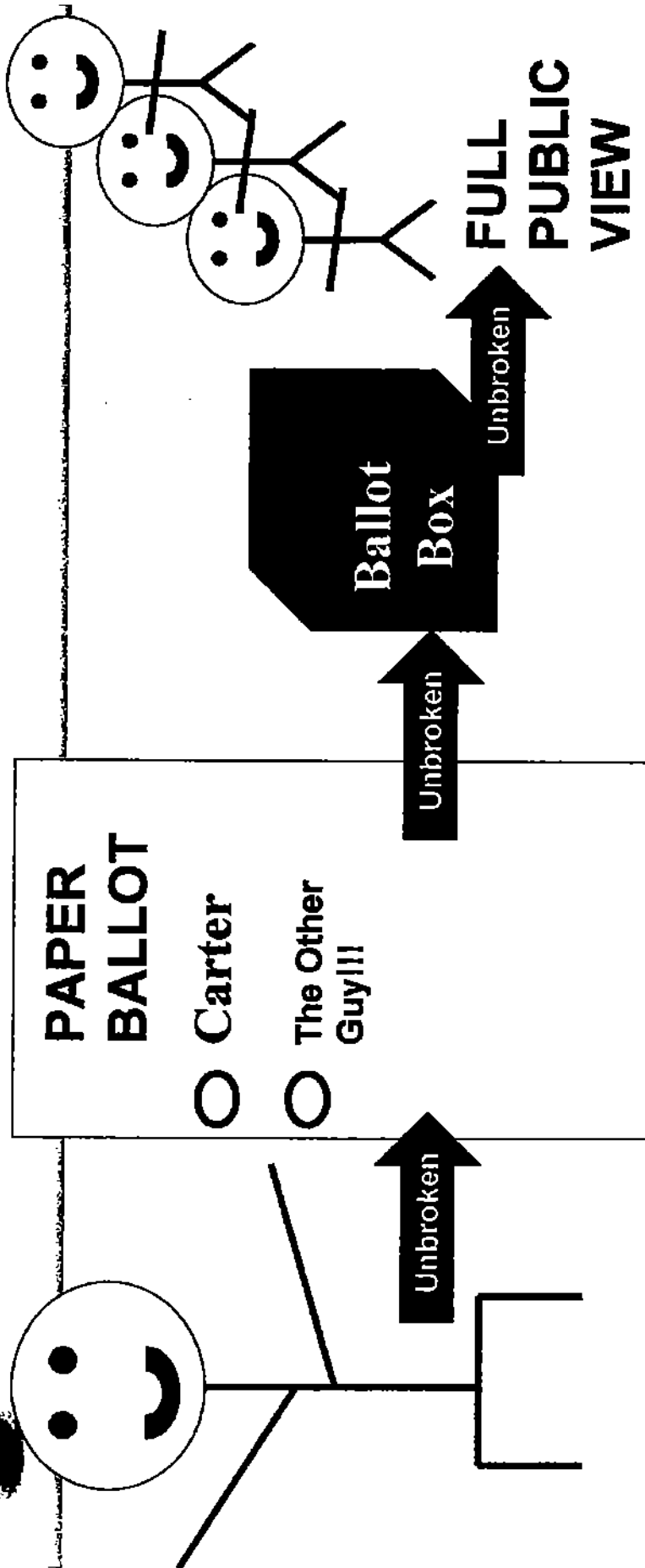
**Ballots are not in Full Citizen View
At Any Time After They Hit Cast Ballot
But Secretly Counted by Diebold Software**

1. Ballot recaps do not match DRE Tapes (for all categories DRE/Absentee and Provisional)
2. Poll books do not match Registered Voters on Ballot Recaps / SOVC & Election Summary
3. Voter History Files do not match poll book or election summary list of 'registered voters' to tune of 33,000 Phantom votes or More Machine counted votes than Voters in Georgia according to SOS Election Summary and SOS Voter History
4. DRE Tapes do not match SOVC Report
5. CDs requested have NOT BEEN RELEASED, so the audit is FULLY UNAUDITABLE Without that form of verification

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Paper Ballots As Ballot of Record

PLUS Unbroken Chain of Custody & Counted in Full Citizen View



Count Paper Ballots Advocates
PAPER BALLOTS / UNBROKEN CHAIN OF CUSTODY / HAND
COUNTED / IN FULL PUBLIC VIEW!!! Nothing Short will do....
"Count The Damn Paper" Lynn Landis www.ecotalk.org



(7) It Makes Elections Unauditable

Privatizing our Votes and Letting Corporations "Secretly" count Them

Puts Our Rights as Citizens at Odds with DRE Vendor Trade Secrets Making Elections Fully Unauditable!!!

DEC 31 04 10:47a Page 1 99 4047951013 P.1



Secretary of State
Elections Division
2 Martin Luther King, Jr. Drive
1104 West Tower
Atlanta, Georgia 30334

Calvin Cox
SECRETARY OF STATE

Linda W. Beasley
Director
(404) 659-2871
FAX (404) 651-4631
lbeasley@dos.state.ga.us

***** IMPORTANT UPDATE *****

TO: Election Officials
FROM: Kelly Rogers, Director
Elections Administration
DATE: December 24, 2004
RE: Open Records Request

A number of county Superior Court Clerks have received open records requests for election materials filed with the Clerk of Superior Court's office and are asking the county election office for direction on how to respond to these requests.

First, the Clerk's office should contact the County Attorney for advice in responding to the above mentioned request. You might also request the Clerk then pursuant to O.C.G.A. § 21-2-500(s) election records are maintained under seal in the Clerk's Office and cannot be opened unless so directed by a Superior Court order.

Second, the CD-ROM mentioned in the request should not be copied or provided for disclosure because it has elements of computer programs and computer software as described by O.C.G.A. § 20-18-720 and it may contain information the disclosure of which would compromise security against sabotage or criminal or terrorist acts and the nondisclosure of which is necessary for the protection of life, safety, or public property. (See O.C.G.A. § 20-18-720(d)(2)(A)).

However, if a request is made directly to the Election Supervisor, information on the CD-ROM may be made available in the form of reports from the election database maintained on the CD-ROM pursuant to the Open Records Act.

If you have any questions regarding the production of reports from the CD-ROM, please feel free to contact our office or the Center for Election Systems at NCN for assistance.

K. Wright

Is it a terrorist act for citizens to ask for election data that we are entitled to by Georgia Law?

Second, the CD-ROM mentioned in the request should not be copied or provided for disclosure Because it has elements of computer programs & Computer software as described by OCGA 50-18-72 And it may contain information the disclosure of Which would compromise security against sabotage Or criminal or terrorist acts and the nondisclosure Of which is necessary for the protection of life, Safety, or public property.



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E**

(9) Are Proven Problematic

FACTS The nation's leading DRE Vendor Expert, Bev Harris along with 100 other organizations, prove problems with DRE machine Voting

Electronic Machines Can Be Hacked



On national television,
Bev Harris, Executive
Director of Black Box
Voting, quickly hacked
into a computer used
for electronic voting to
show how easily the
results can be changed.

www.blackboxvoting.org

www.uscountvotes.org

www.votersunite.com

www.velvetrevolution.com

www.ecotalk.org

www.bradblog.com

www.thealliancefordemocracy.org

blackboxvoting
CONSUMER PROTECTION FOR ELECTIONS
www.blackboxvoting.org

RECENT MAINSTREAM MEDIA DEVELOPMENTS:

1. Snohomish County / WA Lawsuit filed alleging "Secret Vote Counting"
<http://famulus.msnbc.com/famulusgen/reuters04-12-165037.asp?t=renew&vts=41220051903>
2. Datamation: "Computer Experts Allege US Vote Fraud" (US Count Votes Exit Poll)
http://itmanagement.earthweb.com/columns/executive_tech/article.php/3495176
3. MOSCOW's PRAVDA Online Covers Clint Curtis Story "Home to Roost, or Democracies that Live in Glass Houses" <http://www.bradblog.com/archives/00000991.htm>
4. Nashville Tennessean Covers Conference "Election Reform Speaker: Electronic Voting Out of Hand" http://www.Tennessean.com/local/archives/05/03/68078488.shtml?Element_ID=68078488
5. MIAMI HERALD Article by Robert Steinback, "Better Votes On Paper"
http://www.miami.com/mld/miamiherald/news/columnists/robert_steinback/11377424.htm

(10) DRE Vendors Have Disturbing Financial / Political Ties



Rangers & Patriots Member
GOP Supporter
On Record as saying he'll
"Deliver Ohio" to Bush

Walden O'Dell
Current CEO,
Diebold

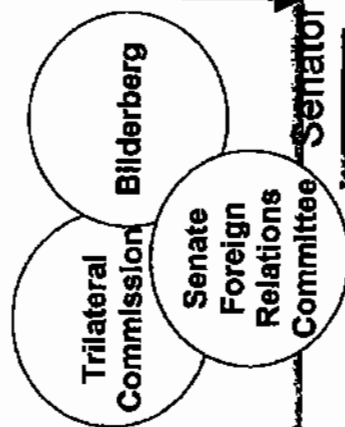
GOP / RNC
Contributor

Client of



Cox made GA
100% Diebold
Since 2002

Confidential: Do not



INTL' Banking/Weapons
Cartels

Invited to Speak at
Secret Bilderberg Meeting

Former Pres. &
Owns an interest in



McCarthy
Group

Owns

Bob Urosevich
Former Diebold CEO
& Founder of ES&S

ES&S

Client of

Client of

I-Mark

Depends on

Microsoft
Access
Database

**BUSH
CHEATED '04**
Block Bush at www.PatrioticOutrage.org

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SUPPORTING FACTS & PERSPECTIVE

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GOOD Election Quotes

"Two brothers own 80 percent of the machines used in the United States," ... it is "very easy to hack into the mother machines." -Teresa Kerry Heinz

"Elections by the people shall be by secret ballot and shall be conducted in accordance with procedures provided by law."

~ Constitution of Georgia Article II. Section I. Paragraph 1.

"A common practice for local election officials is to let election companies run their election — make up their ballot, set up their machines, and even count their tallies. This is a dangerous practice." - Ted Selker, Cal Tech/ MIT Voting Technology Project

"We can no longer trust the republicans to count our votes." -Howard Dean, Chairman of DNC

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EVIL Election Quotes

"The right to choose our Leaders is perhaps the most fundamental right we have as Americans." & "It's not as easy as plugging in an HP printer" regarding Printing of paper ballots by Diebold - Cathy Cox, Secretary of State, Georgia

"Once citizens' trust in our democratic system begins to erode, that very system loses its legitimacy and ability to function properly."
J. Kenneth Blackwell, Secretary of State, Ohio 2001 (2)

Source: (2) <http://blogsforblackwell.blogspot.com/2004/11/challengers-blackwell-iic.html>

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The Face of Privatized Elections And Blatant Elections Officials Conflict of Interest

When Elections Officials Do this.....

This graphic taken from Diebold Marketing Folder where Cathy Cox Georgia's Secretary of State (top right) in a blatant conflict of interest is advertising one vendor's DRE machine. Previous problems include Diebold having Georgia's Seal on their website.

Citizens Do this....

WA Lawsuit Snohomish County / WA Lawsuit filed alleging "Secret Vote Counting"

<http://famulus.msnbc.com/famulusgen/reuters04-12-165037.asp?t=renew&vfs=41220051903>

PA Lawsuit 2 Federal lawsuits against voting machines

<http://www.ecotalk.org/Lawsuits.htm>

Impending lawsuits in OH, GA, NC and other states

ts.com



COUNT PAPER ELECTIONS

Nationwide DRE Machine Facts

A mix of voting systems in the US

In elections yesterday, Americans used a variety of equipment to cast their votes. About 28.9 percent used electronic machines, while 32 percent used optical scan systems, 18.6 percent used punch cards, and 12.8 percent used lever machines, and systems were mixed for 6.79 percent.

2004 Voting equipment by county

PUNCH CARD	LEVER MACHINES	OPTICAL SCAN	MIXED
18.6%	12.8%	32.0%	6.8%



Source: Election Data Services. Analysis by Paul Osterberg

Source: USA Today November 3, 2004

Paper Ballots only
0.6% - 1 million registered voters

Lever machines
12.8% - 22.2 million registered voters

Electronic - 86.5% of all votes cast
32.2% - Optical scan, 55.6 million registered voters
28.9% - Electronic touchscreens, 50 million registered voters
18.6% - Punch cards, 32.2 million registered voters
6.8% - Mixed, 11.7 million registered voters

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DIEBOLD

We won't rest.

Diebold Facts

Because of Diebold, Georgians don't rest either!

- ☐ 75,000 Diebold machines nationwide, 36 Million Votes
- ☐ The State of California sued Diebold for malfunctions & won \$2.6M
- ☐ Georgia is 100% Diebold, 24,500 machines installed since 2002 when SOS Cathy Cox took approximately \$15M in HAVA Help America Vote Act money & Now the State is Republican House/Senate/Governor and Pres. Choice
- ☐ The lead programmer Jefferey Dean was a convicted felon
- ☐ Walden ' O'Dell ,Diebold CEO, had a \$1,000-per-head GOP fundraiser at his 10,800-square-foot mansion, has been a guest at Bush's Texas ranch, is Member of "Pioneers and Rangers" who pledge more than \$100,000 for Bush, last fall penned a letter pledging his commitment "to helping Ohio deliver its electoral votes to the President." and W.R. "Tim" Timken, a Diebold director since 1999, his company and the Timken family have given over \$1M dollars to the GOP .

Source: http://www.motherjones.com/commentary/columns/2004/03/03_200.html "Diebold's Political Machine" by Bob Fritrakis & Harvey Wasserman, March 5, 2004.

- ☐ About 29% of voters will cast ballots electronically this year — more than double the proportion who did so in 2000, says research firm Election Data Services. Diebold, the largest of four main suppliers, controls about 45% of the market. The bulk of its 50,000 machines will be used in Georgia, Maryland & California.

Source: USA Today Posted 10/29/2004 1:36 AM "Voting machine has trial by fire" By Paul Davidson, USA TODAY

9m

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EFFECTS**

132 Years of GA Democratic Leadership Reversed By Diebold

	Governor	State House Majority	State Senate Majority	President Choice
1920	Democrat	Democrat	Democrat	Democrat
1930	Democrat	Democrat	Democrat	Democrat
1940	Democrat	Democrat	Democrat	Democrat
1950	Democrat	Democrat	Democrat	Democrat
1960	Democrat	Democrat	Democrat	Democrat
1970	Democrat	Democrat	Democrat	Democrat
1980	Democrat	Democrat	Democrat	Democrat
1990	Democrat	Democrat	Democrat	Democrat
2000	Democrat	Democrat	Democrat	Democrat
2001	Democrat	Democrat	Democrat	Democrat
2002	24,500 Diebold Voting Machines Installed Statewide	Democrat	Democrat	Repub. Dem.
2003		Democrat		
2004		Republican		

<http://uselectionatlas.org/USPRESIDENT/comparegraphs.php?flps=13>

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Mission Statement

MISSION:

Count Paper Ballots is a nationwide citizen community dedicated to proving that privatized elections leads to fraudulent vote counting.

OBJECTIVE:

To work with action groups legally, legislatively & through grassroots efforts to organize, educate, audit & influence election reform. To implement new ways to improve election efficiency while maintaining the honesty, transparency & citizen control of elections.

WE BELIEVE:

1. Our elections are now privatized and this encourages 'secret' vote counting. Audits are impossible because DRE vendors are not accountable to citizens & software that can be modified without trace, unlike paper ballots that once marked is not modifiable.
2. Election privatization removes our right to vote
3. Voter verified paper ballots, secured by citizens enroute to counting location and hand-counted 'in full view' of citizens must be the

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Glossary

DRE
SOVC

Direct Recording Electronic, refers to an electronic voting machine
Statement of Votes Cast, a report Diebold GEMS Servers provide
that details all early/absentee/provisional and election day
results for entire county BY PRECINCT.

Election Summ.

The Election summary is another Diebold GEMS Server Report
that provides the final tallies by county for all races.

DRE Tape

The cash register sized long thin sheet of paper that is printed on
election day after polls close to capture the voting tallies summarized
by race for all races. 2 Types, Election Summary and Accumulation
Total, the accumulations totals will give race summaries by precinct.
For purposes of this discussion, a citizen based count of all the
Diebold data that comprises our Georgia election with goal of
determining accuracy.

Audit

Fraud
Cathy Cox

For purposes of this discussion intention to defraud others.
Georgia's Secretary of State

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Contact

For More Information:

Contact Us:

phyllis@countpaperballots.com

**For a county by county Audit Report
Or to start your own Statewide 2004**

Audit visit

www.countpaperballots.com

Doing Audits in NC, GA, OH & FL

Want citizens to help do audits in all

50 States!

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**Social Justice Committee
Berkeley Fellowship of Unitarian Universalists**

1606 Bonita Avenue, Berkeley, CA 94709-2022
510-841-4824 office@bfuu.org www.bfuu.org
Co-Chairs: Cynthia Johnson and PhoeBe ANNE (sorgen)

June 19, 2005

Bruce McPherson
California Secretary of State
1500 11th Street
Sacramento, CA 95814

Subject: Voting Machines

Dear Secretary McPherson:

Our committee has an ongoing concern with insecure, secret software in voting machines, which seriously risks electoral fraud. On Thursday, June 17, our co-chair, PhoeBe ANNE (sorgen), went to Sacramento to speak on this issue. She was quoted in the Oakland Tribune and Hayward Daily Review, as follows:

If you value democracy you will not certify these hackable machines with secret mechanisms that are considered proprietary. You will dump Diebold [and] Elections Systems and Software.

This quotation is accurate and represents the views of our committee. Also, you should know that PhoeBe sits on the City of Berkeley's Peace and Justice Commission.

Respectfully yours,

Cynthia Johnson
Co-Chair, Social Justice Committee

cc:
Bruce McDannold
Election Systems Division
Office of the Secretary of State
1500 11th Street, 15th Floor
Sacramento, CA 95814
bmcdanno@ss.ca.gov

Rev. Lindi Ramsden
UU Legislative Ministry - California
926 J Street, Suite 417
Sacramento, CA 95814

Lee Lawrence
Chair, PCD Social Justice Action Committee
164 Valley Hill Drive
Moraga, CA 94556

Susan Leslie
Director for Congregational Advocacy and
Witness
Unitarian Universalist Association
25 Beacon Street
Boston, MA 02108



Social Justice Committee
Berkeley Fellowship of Unitarian Universalists
1606 Bonita Avenue
Berkeley, CA 94709-2022



Bruce McDannold
Election Systems Division
Office of the Secretary of State
1500 11th Street, 15th Floor
Sacramento, CA 95814

53214+5701



Californians for Electoral Reform
PO Box 128, Sacramento, CA 95812
916-455-8021
www.cfer.org

22 June 2005

Constituent Affairs
Secretary of State's Office
Executive Division
1500 11th Street
Sacramento, CA 95814
FAX: 916-653-9675
Email: constituentsaffairs@ss.ca.gov

To whom it may concern:

As I testified at the Voting Systems and Procedures Panel meeting of 16 June 2005, it is important that a voter-verifiable paper audit record be made for every ballot (whether actually verified by the voter or not), so that there will be no unresolvable discrepancies when the one percent manual tally is conducted.

(The Diebold system being considered that day would not produce such a record during curbside voting, meaning that there would be fewer paper audit records than votes cast in that precinct, rendering useless the one percent manual tally as a check on the voting equipment. Because of this flaw, that system should not be used for curbside voting.)

It is also important that, in the event of any discrepancy, the paper audit records be treated as more accurate (absent any evidence to the contrary) than the electronic records. Similarly, the voter-verifiable paper audit records should be used in any full manual recount.

Sincerely,



Stephen A. Chessin, President
1426 Lloyd Way
Mountain View, CA 94040
(650)-786-6200 (work)
(650)-962-8412 (home)
steve.chessin@alum.mit.edu

2355 Virginia Street
Berkeley, CA 94709
20 June 2005
charlene@woodynet.net

Bruce McPherson,
California Secretary of State
1500 11th Street
Sacramento, California 95814

RE: Certification of electronic voting machines

Dear Mr. McPherson,

I'm sure your primary goal is to assure California voters that we can be confident in the accuracy and fairness of our elections. The right and responsibility to vote are the basis of a healthy democracy. The use of voting machines susceptible to tampering or fraud, whose makers claim their software to be proprietary information, is not acceptable. A mode of voting that is not 100% secure and does not conveniently permit a recount is not acceptable.

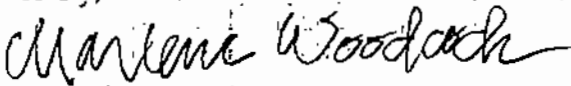
The clear consensus at the public meeting held on June 16 by your staff was that paper ballots are the most reliable voting procedure we have, and that electronic voting machines should only be used if they are provided with open-source software rather than the proprietary, trade-secret software that Diebold, ES&S, and other electronic voting machine makers insist on, as for-profit companies. It was also clear at that meeting that the "paper trail" mechanism Diebold wants certified is for all practical purposes unusable. There was no indication how it would readily facilitate a recount or audit, which is the whole point. Several disabled speakers noted their preference to sacrifice some secrecy for accuracy in the recording and counting of their vote. A machine could be provided at each polling station for disabled voter who preferred to use it.

It is disturbing that former Alameda County Registrar of voters Brad Carson now sits on your panel to consider certification of Diebold machines, since he purchased Diebold voting machines for our county, without regard to the fact that they provided no possibility of a recount.

If we cannot have an accurate vote by machine, we should return to paper ballots, as are used in many countries, including England. I have no doubt that sufficient numbers of volunteers would make themselves available to help with the vote count. American voters would prefer to take more time for a vote count than to accept results provided by easily-manipulated electronic voting machines.

Please defend our right to accurate and fair elections and make sure the terms of the Political Reform Act are respected.

Sincerely,



Charlene M. Woodcock

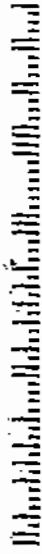
The suggestion made by one speaker at the 6/16 meeting that your office consult with the UC Berkeley information science department to achieve open source voting software is a worthy one

C. Woodcock
2355 Virginia St.
Berkeley CA 94709



Bruce McPherson
California Secretary of State
1500 11th Street
Sacramento, CA 95814

RECEIVED
LEGISLATIVE OFFICE
05 JUN 21 AM 11:05



1072341433E

FAX TO:

Voting Systems and Procedures Panel (VSPP)
Office of the California Secretary of State
Attn. Bruce McDannold
FAX (916) 653-3214 - Tel. (916) 657-2166,
or mail to: 1500 11th St, 5th Floor, Sacramento, CA 95814

DENY CERTIFICATION TO

**1. DIEBOLD GEMS 1.18.22 AV-TSX 4.6.1 VOTING SYSTEM with The ACCU VIEW
PRINTER MODULE**

2. E S & S TABULATORS, Models 100, 550, and 650

3. Any System with Wireless and Internet Capabilities

These systems don't pass the sniff test.

Smells rotten= is rotten

BAN DIEBOLD FROM DOING BUSINESS IN CALIFORNIA FOR 3 YEARS:

Enforce California Election Code Section 19214.5, Subsection (a) and (3) due to their Criminal Acts of
Defrauding 17 California Counties in the sale of Uncertified Software.

From:

Daniel Lilienstein
Program Manager
Intelsat
Palo Alto, California
21 June 2005



June 15, 2005

Voting Systems and Procedures Panel (VSPP)
Office of the California Secretary of State
Attn. Bruce McDannold
1500 11th St, 5th Floor, Sacramento, CA 95814

Dear Mr. Mc Dannold and Members of the Voting Systems and Procedures Panel,

As a California citizen, I must communicate with you about something that is very dear to my heart. Since I reached voting age, I have valued my right to vote and have exercised that right diligently. I am now extremely concerned about developments in electronic voting that appear to compromise the very integrity of our democratic system. I am so concerned, in fact, that I am writing to insist that you protect my voting privilege and provide me with greater transparency. As a California voter, I need to be confident that I have been provided with an open and transparent electoral technology complete with a verifiable paper trail.

I have learned that you are considering buying machines that are neither transparent nor provide a verifiable paper trail. This is totally unacceptable. I, along with my colleagues, friends, neighbors, and relatives are closely watching as you make your decisions. We will fight to the bitter end to protect our sacred right to vote, and have our votes counted. You can count on that.

Thus, I am requesting of you the following:

- (1) The voting process must have a verifiable paper trail.
- (2) Each voting machine must produce an archival paper trail.
- (3) There can be no wireless or Internet access, which would leave our votes vulnerable to manipulation.
- (4) There can be no proprietary software or hardware.
- (5) There can be no private maintenance of machines.
- (6) There must be a categorical disqualification of all vendors with software authored by anyone ever convicted of a felony, or any vendors that allow convicted felons access to computer source code or voter identification information.
- (7) Paper trails must not have to be read by a private entity, and should not be produced on a cash register roll that may violate voter privacy.
- (8) Vendors who have been sued under any name or who have previously installed illegal voting equipment in California must be disqualified – this means specifically Diebold. Absolutely NO DIEBOLD MACHINES should be allowed in California.

(9) There must be no overly complex voting machines that require extra payment to poll workers or excessive technical training.

(10) There must be no modular data components vulnerable to exchanges with malicious data.

Thank you for paying close attention to my letter. I want you to know that California voters will absolutely NOT tolerate any attempt to corrupt or manipulate the electoral process here in California. Please do not even try. As I said before, we are watching you closely.

Sincerely,

A handwritten signature in black ink, appearing to read "Gloria E. Garvin". The signature is fluid and cursive, with a large loop at the end of the last name.

Gloria E. Garvin, Ph.D.
7149 Hidden Pine Drive
San Gabriel, CA 91775

tel: 626-309-1451
email: gloriagarvin@aol.com

Glen S. Rickey
2896 Heron Way
Sacramento, CA 95821

June 28, 2005

Bruce McPherson
Bruce McDannold
Voting Systems and Procedures Panel, Office of the California Secretary of State
1500 11th St., 5th Floor
Sacramento, CA 95814
VIA FAX: (916) 653-3214

Re: Voting Systems and Procedures

Dear Mr. McPherson:

I was in attendance of the public hearing of the Voting Systems and Procedures Panel (VSPP) on June 17, 2005.

I was shocked to hear the staff report which detailed the fixes and current problems with the Diebold voting machines, and despite these problems, that the recommendation was "to certify" these systems provisionally!

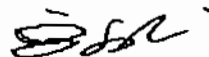
Some of the 'bug fixes' of this new version of Diebold software were only caught because they were used in a California election! The idea that our elections could be thrown into question by using technology that cannot be vetted by the state *in advance of an election* is absolutely irrational. Both Diebold and ES & S consider the inner workings of these devices as 'proprietary'. Discovering bugs *during* an election is absolutely unfathomable!

The paper-trail system provided by Diebold appears to be an afterthought tacked on to garnish further state money. These printing devices were originally being submitted for certification as a *prototype*! Questions have been raised about the readability and durability of Diebold's paper-trail, in the event of manual recounts.

I cannot understand what benefit these devices provide to the counties. They require constant maintenance, which can only be provided by the vendor. They have proven records of faulty results. Diebold has paid settlements for providing faulty or uncertified equipment. Furthermore, these devices have numerous potential security holes and exploits. Most damaging of all, the use of these devices continues to erode the public's trust in the government. The provable 'chain of custody' of my vote is *broken* at the very moment I use one of these machines!

Please do not certify these expensive, problematic devices. Please restore my faith in the integrity of the voting process. Please, Mr. McPherson, protect my vote.

Sincerely,



Glen S. Rickey

California Secretary of State
1500 11th Street
Sacramento, California 95814

Dear Secretary McPherson:

I am writing to ask you to fulfill your pledge to the Assembly Rules Committee to continue to support voter-verified paper ballots. Your participation in co-authoring SB 1438 helps me to believe that you are inclined to support a transparent and open election system. However, as you well know, there is much more work that needs to be done to ensure fair elections.

I know that you signed ACR 242, a resolution that suggests the Secretary of State look into the use of open source software for public elections. I believe that open source software would help to make our elections more transparent and to instill voter confidence to the election process. I understand that in early June a group of citizens with Citizens Act is coming to Sacramento from Los Angeles to lobby officials such as yourself, the governor, and State Assembly and Senate members about various election reforms, including the use of open source software and voter-verifiable paper ballots.

The group that is the furthest along in designing a reliable open source voter-verifiable paper ballot voting system is Open Voting Consortium (OVC) (<http://www.openvoting.org>).

The OVC precinct-based system meets all accessibility requirements for HAVA. It uses open source software and provides a voter-verified paper ballot, both of which are necessary for voter confidence. It will be less expensive to purchase and operate than Diebold or other DRE voting systems. Furthermore, the central county canvassing systems also need to be auditable, secure, reliable, and transparent, and OVC is working on an open source version.

OVC is a large, multi-partisan organization that has received support from many other organizations and prominent individuals. (Jim March of BlackBoxVoting.org, Congresswoman Maxine Waters, and 2004 Green Party presidential candidate David Cobb are among OVC's list of endorsers.)

OVC proposes to work with the University of California to develop a publicly-owned open source voting system for California. This project needs your support to get off the ground. I respectfully request that you schedule a meeting with Alan Dechert, President of the OVC, Professor Arthur Keller, UC Santa Cruz computer scientist, yourself, and Governor Schwarzenegger as soon as possible.

Alan Dechert: (916) 791-0456, alan@openvoting.org
Arthur Keller: (650) 424-0202, ark@soe.ucsc.edu

Sincerely,

Ruth Fenteln
Sacramento, CA

44 Beverly Rd.
Hensington, CA 94707
6/27/05



A Special Note —
Dear Mr. McPherson,

this is to express my
strong objection to the use
of the Diebold electronic
voting system which fails
to provide an accurate paper
trail in the Nov. 8th election.

Nov 8th is just 2 months before
the federal ^{state} mandate for a
voter-verifiable paper record
takes effect.

Most sincerely

Mrs. Elizabeth Brown

MERVIS L. REISSIG

4222 Primrose Avenue
Santa Rosa, CA 95407

Telephone: (707) 586-5913
E-Mail: mervisr@aol.com

June 27, 2005
VIA FEDERAL EXPRESS & FAX

Mr. Bruce McDannold
Election Systems Division
Office of the Secretary of State
1500 11th Street, 5th Floor
Sacramento, CA 95814

Dear Mr. McDannold:

Last week there was another major security breach with computers in this country, with Mastercard this time.

At work, we struggled through another day of paper trails and security fixes at the publicly traded company for whom I do work – requirements legislated within the last two years by Sarbanes-Oxley, as a result of major fraud by huge, and formerly well-thought-of, companies. **In particular, we must thoroughly document every change we make to our “mission critical” software packages, so the auditors can determine why we are making the changes, who has authorized the changes, and what steps we have taken to assure data integrity.**

And I thought to myself: **Why wouldn't we protect our voting system – definitely a “mission critical” system to the United States and its people! – in this same way? Why wouldn't we take the high road to protect our precious votes to the maximum against these problems? Why wouldn't we assure that security is foolproof? Why wouldn't we require the same sound auditor trails required in business in the voting system that is the very foundation of our country?**

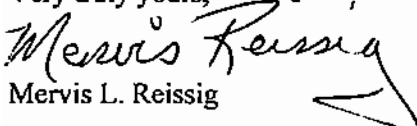
Why do we even have to debate doing the right thing with computerized voting machines? Prerequisites for any computer system are this: (1) foolproof security to the extent it can be foolproof and (2) auditable trails! Diebold has not shown that they can deliver. In fact, numerous experts have demonstrated that their systems can be hacked; and the current issue with paper verification is that their machines have no audit trail.

Remember that most people considered WorldCom to be a solid, reputable company. Most people even thought Enron was! But instead they wreaked havoc on the American public and its economy. Protection came after the fact. We should have learned a lot from these experiences! Let's protect our vote before any company can cheat us!

Diebold can't deliver; we don't buy. Simple. Logical. Why wouldn't we look for alternatives that satisfy our need?

We must protect our most cherished right to vote by demanding top-level security and verifiable paper trails.

Very truly yours,


Mervis L. Reissig

cc: Elections Committee: Senators Bowen, Battin, Dunn, Murray, Poochigian, and Romero
Assemblyman Joe Nation
Senator Carole Migden

ANN K. BARNETT
Auditor-Controller-County Clerk

Glenn S. Spencer
Assistant Auditor-Controller-County Clerk

County Administrative Center
1115 Truxton Avenue, Second Floor
Bakersfield, CA 93301-4639
FAX 661-868-3560



Auditor-Controller: 661-868-3599
County Clerk: 661-868-3588
Registrar of Voters (Elections):
661-868-3590
800-452-VOTE
TTY Relay 800-735-2929
FAX 661-868-3768

June 27, 2005

William Woods, Chairman
Voting Systems and Procedures Panel
1500 11th Street
Sacramento, CA 95814

RE: Comments Regarding Touch Screen Voting

To conduct accurate elections is the charge of every Registrar of Voters. Computer experts and others, familiar with the risks and shortcomings of computers, but possessing insufficient knowledge of elections, have greatly influenced public perception of the need to "make elections safe" from touch screen voting machines. However, if these individuals truly understood election processes and procedures, they would realize that election procedures prohibit much of what they are concerned about:

1. Vendors could determine the outcome of an election.

The tabulation of votes for a candidate on a touch screen unit is not associated with the name of a candidate in GEMS (Diebold tabulation software). Candidates are given a unique number when the candidates are entered into the system. In developing the software, the vendor will have no way of knowing what that number will be, because counties receive the tabulation software before the data is entered into the data management software. In fact, that number is not predetermined, but is determined by the order of keying and how the County sorts data. In addition, election tabulation software is tested upside down and sideways with extensive logic and accuracy tests to verify that votes are counted accurately.

2. A bad person could hack into the system and destroy an election.

Tabulation software is individually loaded on each machine. These machines are stand-alone machines. They are neither networked together nor linked to the Internet. When a ballot is cast, the votes are encrypted on the memory card and hard drive. The only way to access that data would be through access to the memory card, which is secured by lock and seal. Because voting is so quick on touch screen machines, someone trying to hack in at the polling place would most likely be very obvious to a poll worker. Poll workers are trained to be observant. The bottom line is that the integrity of an election is most vulnerable from those who are responsible for the election – the Registrar and his or her staff, which has always been the case. The solution to this dilemma as it relates to touch screen voting machines is parallel monitoring, which is a process already in place.

3. Loss of voter privacy, or the ability to tie a voter to a ballot. If there is only one touch screen per precinct, and no paper ballots are used at the polling site, it would be possible to associate a voter to a particular ballot simply by comparing the order of voters identified on the

Touch Screen Voting

Page Two

Roster of Voters to the order of ballots on the single touch screen unit. However, if no paper ballots are used in polling places, even the smallest precinct has multiple touch screens to insure continuity of voting in the event there is a problem with one machine. In Kern County, we have a minimum of three machines at a single precinct site. We could have as many as 35 machines in a polling site. That being the case, neither poll workers nor county election staff could associate a ballot to a voter simply because there is no way of knowing who voted on what machine. If a combination of paper and touch screens were used there would be no way to associate a ballot to a voter.

4. No proof that votes were counted as voted. The initial concept of the VVPAT was to provide assurance to a voter via a piece of paper that the vote count actually corresponds to actual ballots cast. However, if you look at what the VVPAT actually does, its value is minimal. The flow of data on a touch screen machine is as follows:

- Voter enters vote on screen
- Data in RAM
- Summary screen identifies votes selected
- When voter selects print option, ballot image is generated in RAM
- Ballot image prints to VVPAT
- If vote is cast, two files (encrypted ballot images) are written from the RAM simultaneously to the hard drive and the memory card.
- Two files are compared, and only when verified as identical does software accumulate into tabulation.

Thus, the records on the VVPAT are exactly the same as the records presented on the Summary of Vote screen. The screen is just much easier to read. The VVPAT paper is no more "proof" of how a vote is actually counted than the easy-to-read screen is. Touch screens, paper ballots, and punch card ballots all use tabulation software to count ballots. All such software goes through logic and accuracy tests to insure that ballots are counted accurately. The ballot itself is not proof of how a vote is counted. Thus, there is a push to use the VVPAT in recounts and in the 1% canvass recount to insure the integrity of the tabulation process.

There are two bills pending in the legislature to mandate the use of the VVPAT for the canvass 1% recount. Using the VVPAT for such a count is problematic. Time is a factor, since the canvass must be completed within 28 days. This 1% recount is done by taking a sample of precincts, covering all races. The tabulation software consolidates precinct totals from multiple touch screens. The VVPAT, from which precinct counts would have to be done, would have multiple ballot types representing multiple precincts on the roll of paper, making the manual count extremely slow (pick and choose). In addition, due to the type of paper, the VVPAT will be difficult to read for long periods of time. Both of these factors jeopardize the accuracy and timely completion of the canvass. In addition, using the VVPAT this way would be counter productive for counties which have consolidated precincts into multi-precinct polling sites in order to meet federal and state ADA requirements.

Use of the VVPAT for recounts is also problematic as a unique number is required for provisional ballots, but such a number is not allowed to print on the VVPAT. A very practical alternative to using the VVPAT as a 1% recount tool is parallel monitoring by the Secretary of State on Election Day. This has been done for the past two major elections in touch screen counties,

Touch Screen Voting
Page Three

and is an ideal method of testing the accuracy of touch screen voting. To date, parallel monitoring has proved touch screens to be 100% accurate.

Because the 1% manual recount is a requirement of law, and not likely to be changed soon, using the bar code on the VVPAT to do the manual recount is a viable option, even to the extent of making a visual comparison of one of the candidates in the barcode to the VVPAT representation of the ballot (verifying the accuracy of the bar code). There are many procedures to be worked out, but this is at least potentially doable.

These issues are not insurmountable. Taking a serious look at election security is a good thing. Because of the raised awareness of both specialists and the general public, vendors of voting equipment have become more security conscious and have been responsive to California's still changing requirements. However, elections is a time sensitive business. Responses to changing rules require time, but elections go on. It is not reasonable to expect that all the issues regarding VVPAT to be resolved before we have even used it in California. Meanwhile, there are three elections that are fast approaching, plus the effective date of HAVA and all of the ramifications thereof.

I urge certification of the Diebold TSX system and a re-evaluation of the use of VVPAT for the 1% manual count and requested recounts.

Sincerely,



Ann K. Barnett
Kern County Registrar of Voters

Please NO

DIEBOLD IN
CALIFORNIA!

Sincerely
D. Jay Swan

Eva Kataja, Ph.D.

1208 Fernwood Pacific Drive
Topanga, CA 90290-3228
310-455-2580
evakataja@hotmail.com

June 22, 2005

California Secretary of State
1500 11th Street
Sacramento, California 95814

RE: Voter-Verified Paper Ballots and Open Source Software
Are Essential for Fair Elections

Dear Secretary McPherson:

Please carry out your pledge to the Assembly Rules Committee to continue supporting voter-verified paper ballots. Your co-authoring of SB1438 indicated you supported transparent (fair) elections in California. Additionally, you essentially agreed to look into the use of open source elections software by signing ACR 242.

I believe open source software is an essential second component of fair elections. The public must be able to verify that its elections software performs as it should. Using software that is a proprietary secret is nothing less than an abomination. Open source software would instill voter confidence for the right reasons. The group furthest along in designing a reliable open source voter-verifiable paper ballot voting system is Open Voting Consortium (OVC) (<http://www.openvoting.org>). The OVC precinct-based system will be:

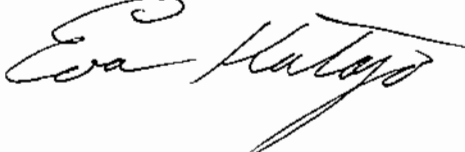
- In compliance with all HAVA accessibility requirements
- Less expensive to purchase and operate than Diebold or other DRE voting systems
- Auditable, secure, reliable, and transparent

OVC is a large, multi-partisan organization supported by many other organizations, and prominent individuals including Republican Jim March of BlackBoxVoting.org, Congresswoman Maxine Waters, and 2004 Green Party presidential candidate David Cobb. OVC proposes to work with the University of California to develop a publicly-owned open source voting system for California. Your support for this project is essential.

I respectfully request that you meet with OVC President Alan Dechert (916) 791-0456, alan@openvoting.org, Professor Arthur Keller, UC Santa Cruz computer scientist ((650) 424-0202, ark@soe.ucsc.edu), and Governor Schwarzenegger as soon as possible to further this project..

Please — do the right thing. Stolen elections are intolerable. The majority of Americans wish to live in a democracy and many left their land of birth in order to do so. This is a non-partisan issue.

Sincerely,



1424 Morton St.
Alameda Ca 94601

Dear Mr. McPherson,

Until you can guarantee that there will be a "paper trail" from voting machines, please protect the voters of California by having paper ballots. I am against using the Diebold machines.

Sincerely,
Janet L. Gibson

Michael Jay
4023 Murietta Avenue Sherman Oaks, CA 91423 818 783 6684

June 23, 2005

Constituent Affairs
Voting Systems and Procedures Panel (VSPP)
Office of the California Secretary of State
1500 11th Street
Sacramento, CA 95814
Tel. 916 657 2166

Attention: Bruce McDannold

Dear Mr. McDannold,

Enclosed is a petition addressed to the Secretary of State, resolving that, in order to protect the integrity of elections, Diebold Election Systems should not be certified for use.

I spoke on this issue last week at the VSPP hearing, and pointed out that doing business with such an admittedly untruthful and unforthcoming corporation would heap as much ridicule on our state as if we had chosen to bring back Enron to run our energy system.

Please make sure that this petition is given to the Secretary of State, that it is entered into the record of the VSPP, and please do what you can to help ensure that we do not bring back the felons of Diebold. Thank you.

Yours,

A handwritten signature in black ink, appearing to read "Michael Jay", followed by a long, sweeping horizontal line that extends to the right.

Michael Jay

Petition to the California Secretary of State

As Diebold has misled the State of California many times in the past and has provided uncertified software for use in elections, and as the use of Diebold equipment has disenfranchised voters by forcing late opening of polls in the March, 2004 election, and as Diebold's proposed paper trail is costly, unsuitable for recounts, and does not protect the confidentiality of the voters because it preserves the order in which ballots were cast,

Be it resolved that in order to protect the integrity of elections in California, restore citizen confidence in the electoral system, and provide transparency to the electoral system, the Secretary of State must not certify Diebold Election Systems for use in California. Further, as authorized by section 192104.5 (a) (3) of the California Elections Code, the Secretary of State must ban Diebold from doing any elections-related business in the state for three years.

In addition, counties with existing Diebold equipment should evaluate alternatives for compliance with the Help America Vote Act of 2002 and the California Elections Code rather than solely negotiating upgrades to existing Diebold systems.

Name	City	County	Zip Code	e-mail (print clearly)
Juana G.	LA	LA	90065	almondcons@earthlink.net
Robert	LA	LA	91425	jmartin@ucla.edu
Richard K. Diehl	LA	LA	91423	SAK24@aol.com
Philip J. Miller	L.A.	L.A.	91423	reder@ieee.org
Debbie Stone-Hardy	Shoreline	IL	91423	bstonegood@aol.com
Naomi L. Hill	LA	LA	91423	
Chris Krutzberg	L.A.	L.A.	91423	
Beth Hill	LA	LA	91607	BHill@sells.com
Charrisse Hill	Valley View	LA	91607	C4H4262@aol.com
Alma O'Brien	Tarzana	LA	91357	
Walter Green	S.O.	LA	91423	
Sylvia Perlstein	S.O.	LA	91423	
M. Perlstein	S.O.	LA	91423	

For more information, or to sign on-line, and for how to help, go to <http://election-reform.us/>

Bring printed petitions to the VSPP hearing or return petitions to:

Jerry Berkman

3136 Eton Avenue

Berkeley, California 94705

Voting Systems and Procedures Panel (VSPP)
Office of the California Secretary of State, Attn. Bruce McDannold
1500 11th St, 5th Floor
Sacramento, CA 95814

June 22, 2005

Dear Panelists,

As a California voter, I would like to register my strong opposition to adopting the voting machines of Diebold and others in California and to the use of voting machines in general.

1) The fairest, safest and most dependable method of voting is with paper and pencil: safest, because it is the simplest and therefore the least can go wrong; most dependable, because, if all else fails, pencil and paper are easily available, even at short notice; and fairest because this method is plainly understandable by all -- not just by the tiny elite of computer professionals or the even tinier group inside the corporations who manufacture the machines. (Needless to say, accommodations can and must always be made for disabled voters, whatever method is used.)

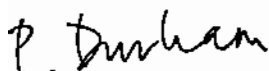
2) The innumerable ways in which election voting and counting can go wrong, or be deliberately manipulated or sabotaged, has by now been amply demonstrated. This technology is clearly not ready to be let loose in the real world on real elections. Whether it can ever be made safe or transparent is still in doubt, but unequivocally that time has not arrived yet.

3) The irregular and nefarious practices of Diebold et al (such as the most recently reported apparent attempted bribery of our election officers) cast these companies in a very poor light. That we should entrust our most fundamental right to a bunch of shady corporations, whose interest in elections is profit-motivated and possibly ideological, is unconscionable.

4) Elections should be the most public of all the workings of government -- the part in which every citizen is unquestionably and equally involved. They should remain public and should not be privatized and moved into the for-profit sector.

Thank you for your attention.

Sincerely,



P. Durham

6/21/05

Dear MR. McPHERSON,

Since the special election will take place prior to the mandated implementation of a verifiable paper trail for voting machines, I am requesting that the election be conducted using paper ballots -- No machines!

Sincerely

Alvin Quigley

4500 Blum Road

Martinez, CA. 94553

6/23/05

Act'g State Ct., Election Division:

Attached is a letter regarding certification of voting systems.

While this is a complex issue I want to be absolutely clear that we will hold you accountable legally for verified systems that account for each individual vote in Ct.

Voter fraud has become a serious problem & we are not free from this problem here in our community in Ct.

Helen Conly

I have faxed this to your office today 6/23/05

To: Bruce McDanold
Secretary of State's Office
Sacramento CA
916-653-1321 (fax)

From: Joan Schumack Citrus Heights CA
916-730-7794 (daytime telephone)

Re: Electronic Voting Machines

Date: Wed, June 29, 2005

Pages: Four (4) pages total

After considerable thought on this matter, I have reached the conclusion that little, IF ANYTHING, is to be gained by implementing any electronic voting. Among the factors I have taken into consideration are these five:

- (1) The significant acquisition costs of the electronic voting machines.
- (2) The costs of training poll workers

(page 2 please)

and other necessary personnel in the operation of the machines.

- (3.) The expense of storage, for when these machines are not in use; which is all but a few days of the year.
- (4.) The maintenance costs and software updates needed on EACH machine.
- (5.) The cost of acquiring or developing software to run EACH machine.

Who stands to gain from an implementation of electronic voting?
As best as I can determine, these three limited parties would profit (in every sense of the word profit), handsomely, if not outrageously:

- (i.) The manufacturers of electronic voting machines - first and foremost.
- (ii) The storage facilities where these vast numbers of machines would be held
(page 3, please)

to be warehoused for probably eleven months, of each calendar year.

- (iii). A certain number of software engineers, who would likely be located in India, the Philippines, Thailand, Hong Kong, or somewhere similar.

For ALL of the above reasons, I advocate for the retention of paper ballots. They can be resorted if necessary, and recycled when no longer needed. Paper balloting possesses these three huge advantages:

- (a.) Voters and poll workers are already familiar with paper ballots.
- (b.) Vote tampering is minimized, because a defaced or damaged ballot is easily detectable and traceable.
- (c.) The machinery and supplies are already in hand.

on balance, everything is to be

(page 4, please)

Page 4 - June 29, 2005 - Joan Schmuck

gained by confining with paper ballots, and virtually nothing lost.

By strong contrast, electronic voting machines have little to recommend them, and nearly everything to oppose them: acquisition costs; personnel training; storage expense; maintenance and software updates; and software development fees are five excellent reasons to discontinue consideration of electronic voting machines.

Please let me conclude by thanking everyone, who has taken the time to read all of my remarks.

I am sincerely

Yours in Democracy,

Joan Schmuck
Joan Schmuck

June 29, 2005
Citrus Heights, CA
916-730-7794

1500 - 11TH ST. 5TH FLR
SACRAMENTO, CA.
95814

JUNE 28, 2005

VOTING SYSTEMS & PROC. PANEL (VSP)
OFF. OF CAL. SEC. OF STATE
ATTN: BRUCE McDANOLD

DEAR SIR:

PLEASE DO NOT CERTIFY VOTING
SYSTEM DIEBOLD GEMS 1.18.22 AV-TSX 4.6.1
VOTING SYSTEM WITH THE ACCU VIEW
ALSO E.S. TABULATORS MODELS 100, 550 & 650
ALSO ANY SYSTEM WITH WIRELESS &
INTERNET CAPABILITIES
ALSO BAN DIEBOLD FROM DOING
BUSINESS IN CALIF.

WE NEED TO PROTECT SANCTITY OF
THE VOTE, I REQUEST THAT STATE
CERTIFICATION BE DENIED TO THE
ABOVE MENTIONED VOTING SYSTEMS
AND EQUIPT. AS THEY VIOLATE THE STATE
CONSTITUTION.

ANY TECHY HACKER COULD CRACK
OUR SECRET VOTES AND DO THINGS
TO CHANGE THE ACTUAL VOTES.

VOTERS NEED PAPER RECEIPTS
WITH A CLEAR PRINT SO THEY CAN BE
SURE THEIR VOTE IS COUNTED HONESTLY

SINCERELY,
Grace M. Sain

GRACE M. SAIN

6-29-5

To Whom it May Concern:

As a resident of Richmond, CA I OPPOSE
the incorporation of the DIEBOLD ELECTION
SYSTEM.

- It is not reputable
- The software is proprietary.
- There are significant holes in Diebold systems
- There will likely be exorbitant costs for technicians + supplies.

This will be Bad for Richmond.

Please VOTE NO!

Sincerely,

Andrew Weber
Richmond, CA

June 24th, 2005

Voting Systems and Procedures Panel
Office of the California Secretary of State
1500 11th Street, 5th Floor
Sacramento, CA 95814

Dear Secretary of State McPherson:

I am writing to ask that you deny certification to the following voting systems as they would violate California's Constitution, article 2.5 *A voter who casts a vote in an election in accordance with the laws of this state shall have that vote counted.*

1. Diebold Gems with ACCU View printer module.
2. ES & S Tabulators, Models 100, 550, 650.
3. Any system with wireless and internet capabilities.

Additionally, the alternative offered by Diebold which would produce the thermal paper would make recounts too costly and too difficult to count. We need to maintain integrity with accessible voter verified paper ballots printed on archival paper. Optical scan with stamp cards would be most efficient and easily recounted in the event of any challenges.

Furthermore, any usage of a closed source code software hinders the American, democratic process of fair access and freedom of information.

As an official in this great State, I hope you do what is fair and just for all and plead to your sense of integrity.

Best,

A handwritten signature in black ink, appearing to read "Mary Pallant", with a long horizontal flourish extending to the right.

Mary Pallant
11684 Ventura Bl. #429
Studio City, CA 91604

Linda K. Russell

P. O. Box 655
Cotati California 94931
(707) 794-9259

June 30, 2005

The Hon. Bruce McPherson
Office of the Secretary of State
Voting Systems & Procedures Panel
Attention: Bruce McDannold

Fax No. 916/653-9675

RE: Comment on Diebold and ES&S Election Systems

Dear Secretary McPherson:

It is incumbent upon the Office of the Secretary of State to see to it that elections in this state are free, fair and verifiable. For this reason, I write to urge you to deny certification of the Diebold and ES&S election systems presented and discussed at the June 16 VSPP hearing, and any other maker-vendor's electronic "blackbox" election systems, that

- use proprietary software, or
- include wireless technology, or
- fail to provide a voter verified ballot on archival paper, or
- fail to provide a tamper-proof chain of custody.

Furthermore, under California law, Diebold should not even be permitted to do business in this state given its proven "bad acts" in regard to hardware and software provided to counties that failed to perform. I urge you to follow the law and to forbid Diebold from offering its products and services in California for at least three years.

To the extent that the VSPP and your office have attempted to rely on rulings or recommendations of the Federal Election Commission, you must know by now that the federal election system testing and oversight process is broken and dysfunctional. The so-called "independent" testing labs approved by the Commission are hired guns paid for by the vendors and regard those vendors, *not* the American people, as their clients. As such, these "independent" testing labs have accordingly cast a blind eye on DRE security problems, vendor misconduct, and, in at least two cases where Diebold is concerned, vendor fraud when customized code was withheld from oversight.

I have read that registrars of voters may favor DREs as making their own working conditions easier. But is honoring their convenience worth losing the sanctity of the voting process in this state?

And what about the ongoing costs of using these machines and the proprietary software? Until county officials have some certitude in the ongoing costs that will be visited on their taxpayers, it is irresponsible to tempt the registrars to enter into financial deals with Diebold and ES&S and other vendors (as I understand Alameda and Napa to be doing at this time) by going forward with certification by your office. Why are you not enjoining them from starting negotiations?

Petition to the California Secretary of State

As Diebold has misled the State of California many times in the past and has provided uncertified software for use in elections, and as the use of Diebold equipment has disenfranchised voters by forcing late opening of polls in the March, 2004 election, and as Diebold's proposed paper trail is costly, unsuitable for recounts, and does not protect the confidentiality of the voters because it preserves the order in which ballots were cast,

Be it resolved that in order to protect the integrity of elections in California, restore citizen confidence in the electoral system, and provide transparency to the electoral system, the Secretary of State must not certify Diebold Election Systems for use in California. Further, as authorized by section 19210.5 (a) (3) of the California Elections Code, the Secretary of State must ban Diebold from doing any elections-related business in the state for three years.

In addition, counties with existing Diebold equipment should evaluate alternatives for compliance with the Help America Vote Act of 2002 and the California Elections Code rather than solely negotiating upgrades to existing Diebold systems.

Name	City	County	Zip Code	e-mail (print clearly)
Jane Sherman	Berkeley	El Dorado	95633	learn@jps.net
M. J. Muenne	LA	LA	90068	mikeclass@92@aol.com
Deborah Tait	LA	L.A.	90019	deborah.tait@bcglo.net
Lisa Gutierrez Gutierrez	Bakersfield	San Mateo	94014	lggwt@hotmail.com
Lania Kappan	Oakland	Alameda	94607	tkapp2@yahoo.com
Mary Prophet	Berkeley	Alameda	94702	ulprophet@earthlink
Rosemary Ungar	LA	LA	90029	rosemary@yahoo.com
Connie Acosta	LA	LA	90026	CAcost4@LAUSD.72.CA.US
Yvonne Hargrave	LA	LA	91604	yvonnehargrave@comcast.com
Rochelle Wilson	LA	LA	90220	1722 W Centwell Compton CA 90220
Laurie Jones	LA	L.A.	90002	852 - E 91 St 90002
John Owen	LA	LA	90026	comcast JOHN O @YAHOO.COM
Anitra Wetzel	LA	LA	91601	Anitrawetzel@yahoo.com
Mark Curry	Oakland	Alameda	94607	Mairgood1@aol.com

For more information, or to sign on-line, and for how to help, go to <http://election-reform.us/>
Bring printed petitions to the VSPP hearing or return petitions to:

Jerry Berkman
3136 Eton Avenue
Berkeley, California 94705

Petition to the California Secretary of State

As Diebold has misled the State of California many times in the past and has provided uncertified software for use in elections, and as the use of Diebold equipment has disenfranchised voters by forcing late opening of polls in the March, 2004 election, and as Diebold's proposed paper trail is costly, unsuitable for recounts, and does not protect the confidentiality of the voters because it preserves the order in which ballots were cast,

Be it resolved that in order to protect the integrity of elections in California, restore citizen confidence in the electoral system, and provide transparency to the electoral system, the Secretary of State must not certify Diebold Election Systems for use in California. Further, as authorized by section 19210.5 (a) (3) of the California Elections Code, the Secretary of State must ban Diebold from doing any election-related business in the state for three years.

In addition, counties with existing Diebold equipment should evaluate alternatives for compliance with the Help America Vote Act of 2002 and the California Elections Code rather than solely negotiating upgrades to existing Diebold systems.

Name	City	County	Zip Code	e-mail (print clearly)
Gretchen Heidemann	Los Angeles	Los Angeles	90020	heidemg@yahoo.com
DAVID LAYO	Oakland	Alameda	94703	
Susan Burton	Los Angeles	L.A.	90002	susanburtonwxyz@i.org
Anthony Muel	Los Angeles	LA	91766	amuel@perla.us
Fernando B. Ledezma	Los Angeles	LA	91754	Fernando5220@aol.com
Linda Baughn	L.A.	LA	90034	
Ben Chi	LA	LA	90057	
Aniana Casanova	Thousand Oaks	Ventura	91320	anianacasanova@yahoo.com
Michael Levy	LA	LA	90004	mjb2132003@yahoo.com
Pete Ferruggio	Oakland	Alameda	94601	pferr@cal.berkeley.edu
Anitra Wetzal	LA	LA	91601	Anitrawetzal@yahoo.com

For more information, or to sign on-line, and for how to help, go to <http://election-reform.us/>
Bring printed petitions to the VSPP hearing or return petitions to:

Jerry Berkman
3136 Eton Avenue
Berkeley, California 94705

June 30, 2005

By FAX to: 916-653-3214

To: Voting & Procedures Panel (VSPP)
California Secretary of State

Attn: [redacted]

Request for YOU TO DENY CERTIFICATION TO:

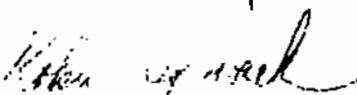
1. 18.22 AV-TSX 4.6.1 Voting System with Accu View
Printer Module

2. VOTERS Models 100, 550, 650

AND ALL OF WIRELESS & INTERNET CAPABILITIES

THE PUBLIC TO A FREE AND FAIR ELECTION IS THE CORE OF
ANY EQUIPMENT/MACHINERY THAT CAN COMPROMISE THE
SECURITY OF SUCH MUST BE PROHIBITED. SO, I ASK
THE BEST INTERESTS OF CALIFORNIA VOTERS AND DENY

THANK



[redacted]

[redacted]

[redacted] 90025

6/29/05

To: V.S.P. Panel
Calif. Secretary of State's Office

Re: Certification of Diebold voting
equipment

I am writing in haste (with no time to find a computer or to compose a decent letter) because I've just learned yesterday from the Bee that today is the last day for public comment. Please accept my handwritten comment.

I strongly object to the certification of the Diebold voting machines. There can be no good reason to certify them with so much public mistrust and obvious possibility for fraud (even if there is no fraud, we should know that the machines are "fraud-proof"). Please take your responsibility and the privilege of being on this panel seriously and work to protect our democracy.

Sincerely,

Victoria Hawes

(916) 443-6782

e-mail - perfectlygeneric@aol.com

Mainlyn Madrone
6760 Evergreen Ave.
Sebastopol, CA 95472

June 27, 2005

Voting Systems and Procedures Panel
Secretary of State
State of California
Sacramento, California

Dear Members of the Panel,

I urge you to deny approval
to any voting system vendors or voting
equipment that lack these criteria to
preserve our democratic elections:
transparency and enfranchisement of all.

You must deny approval to Diebold
and Election Systems and Software for a
multitude of reasons; among these are:

- ① Say No to vendors who have software
authored in part, or whole, by anyone ever
convicted of a felony.
- ② Say No to software, hardware and/or any
components that use proprietary and/or
secretive software.

- ③ Say NO to vendors and/or voting equipment that have been sued in the state of California or in other states for installing illegal voting machines.
- ④ Say NO to paper ballots or paper trails that that either produce paper that is not archival or that require a private entity to read them.
- ⑤ Say NO to any kind of remote access, modems, wireless/internet connectivity that would be vulnerable to manipulation via the "back door".

A few decades ago, disinterested citizens, alienated by the beginnings of corporate take over of our government would say, "My vote doesn't count", so they would not bother to participate by casting a vote.

Today, they can say their vote actually would not be counted in the voting process.

It's all about regaining the trust of the public. TOO MANY LIES!!!

Marilyn Madrone
MARILYN MADRONE

DENY CERTIFICATION TO

1. DIEBOLD GEMS 1.18.22 AV-TSX 4.6.1 VOTING SYSTEM with The ACCU VIEW PRINTER MODULE

2. E S & S TABULATORS, Models 100, 550, and 650

3. Any System with Wireless and Internet Capabilities

4. BAN DIEBOLD From Doing Business in California

Name (Print)	Signature	Zip Code	Address or email
ANITA KLEBANOFF	Anita Klebanoff	90036	836 S. Ogden Dr. L.A. Ca.
PAUL WICKARD	Paul Wickard	90266	636 18 th St Manhattan Beach CA
ANITA ROBINSON	Anita Robinson	90019	16078 Ogden Dr. L.A. 90019 CA
SEYMOUR ROBINSON	S. Robinson	90019	02 11 11 11
CECELIA Levin	Cecelia Epstein	9066	3200 BUTLER, 90066
ROSALYN FREUND	Rosalyn Freund	90232	10876 OREGON AVE. Culver City, CA
Helen Sandy	Helen Sandy	90072	11916 1/2 Alhambra C-UT L9 8/833
ELSWORTH WAITS	ELSWORTH WAITS	90016	2718 S. GENESEE L.A. CA.
BERNICE CURTIS	Bernice Curtis	90035	8833 PICKFORD ST. L.A. CA 90035
SID CURTIS	Sid Curtis	90035	8833 PICKFORD ST L.A. CA.
JOHNNY W. MELLIGAN	Johnny W. Melligan	90035	P.O. Box 3510 76 Los Angeles, Ca.
Mary Goodman	Mary Goodman	90035	1454 Roxbury Dr
BJEAN TAVLIN	B Jean Tarlin	90035	1723 S. Belford St
MIRIAM TAVLIN	Miriam Tarlin	90035	1670 S. HiPoint
Sylvia Holtz	Sylvia Holtz	90034	3645 Elden Ave.
Libby Klugman	Libby Klugman	90066	3170 Grand View Bl.
Carole Poyurov	Carole Poyurov	90064	2730 Anchor Ave LA

1. DIEBOLD GEMS 1.18.22 AV-TSX 4.6.1 VOTING SYSTEM with The ACCU VIEW PRINTER MODULE

3. Any System with Wireless and Internet Capabilities

4. BAN DIEBOLD From Doing Business in California

[illegible]



Sonoma County Democratic Central Committee
PO Box 3727
Santa Rosa, CA 95402-3727
(707) 575-3029

June 29, 2005

The Hon. Bruce McPherson
Office of the Secretary of State
Voting Systems & Procedures Panel
Attention: Bruce McDannold

Fax No. 916/653-9675

RE: Comment on Diebold and ES&S Election Systems

Dear Secretary McPherson:

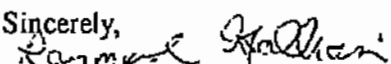
We, the Members of the Sonoma County Democratic Central Committee, representing our constituency of Sonoma County Democrats send you this letter to demand that elections under supervision of the Secretary of State be free, fair and verifiable.

Our voting systems must be free from any questions over adequacy, conflicts of interest, or collusion. Transparency of process, a voter verified archival quality paper ballot, a tamperless chain of custody, and the highest standards of accuracy in counting are the minimum acceptable requirements for any election.

Currently the VSPP of your office is considering whether to recommend certification of certain DRE voting systems by Diebold and ES&S. Neither come close to the above minimum criteria and must therefore be rejected.

Risking our citizens' right to vote by certifying these companies' hackable electronic systems and proprietary software would be outrageous. A free, fair, verifiable vote (on stable paper) using publicly developed, owned, supervised, and maintained open source software is the only way a sovereign people can assuredly use electronic voting to express their will and vest power in their representatives. Anything less risks creeping fascism motivated by greed and the desire to rig elections and is therefore unacceptable to a free people.

Thank you in advance for denying certification of these two companies' voting systems. Only in so doing will you be attending to your duty to protect the voters of California.

Sincerely,

Raymond Gallian, Chair
Issues and Legislation Committee
Sonoma County Democratic Central Committee

To the California Secretary of State's Office:

I am writing to urge you to protect the integrity of our elections. Please deny certification to the following voting systems:

1. DIEBOLD GEMS 1.18.22 AV-TSX 4.6.1 VOTING SYSTEM with The ACCU VIEW PRINTER MODULE
2. E S & S TABULATORS, Models 100, 550, and 650
3. ANY SYSTEM WITH WIRELESS and INTERNET CAPABILITIES

I am especially concerned about the AVVPAT technology offered by Diebold. This system will make a cost-effective hand count impossible. Diebold will have to be paid additional sums to do such hand counts—at who knows what price. We need an auditable voter verified paper trail that can be read by vote counters hired and trained by counties.

The ballots/audit trails (AVVPAT) should be printed on single-sheet non-thermal paper, one record of vote per sheet. These should be printed and organized to be easily read by both the voter and election officials. We should insist on a routine 1% manual audit, and all recounts should be physically verified and hand counted only.

Both the Diebold System and the E S & S Tabulators operate on Proprietary Closed Source Code Software. Democracy itself is endangered when voting systems use code that is so secretive and hidden from public scrutiny.

Voting systems with wireless and Internet capabilities are simply too dangerous. Any knowledgeable hacker with a good encryption-cracking program can access and alter voting data. The E S & S tabulators have a Dell laptop which contains wireless capabilities. This is simply not acceptable.

An even larger issue is that California should not be doing any business with Diebold, which has already broken state law by selling and installing uncertified software. As per California Election Code Section 19214.5, subsection (a) and (3), they should be banned from doing business with the state for three years. Past experience has proven that Diebold cannot be trusted to provide reliable, safe voting machine.

I do not wish to see my tax dollars spent on suspect electronic voting systems without a verifiable paper trail that meets the test of common sense and ease of use. If voters do not have confidence that machines are not rigged, then everything we hold dear is lost.

Sincerely,
Lisa Renaud
3016 Highland Ave.
Santa Monica, CA 90405

FAX: 916-653-3214. 9675
Voting Systems and Procedures Panel,
Office of the California Secretary of State,
1500 11th St., 5th fl., Sacramento CA 95814,
Attn: Bruce McDannold/ SOS Bruce McPherson

TEL: 916-657-2166

Dear Secretary of State McPherson:

To protect, defend, and preserve the integrity of the vote in CA, please deny certification to the following voting systems in violation of the California Constitution: (Article 2, Sec. 2.5. *A voter who casts a vote in an election in accordance with the laws of this state shall have that vote counted*)

1. DIEBOLD GEMS 1.18.22 AV-TSX 4.6.1 VOTING SYSTEM with The ACCU VIEW PRINTER MODULE

2. E S & S TABULATORS, Models 100, 550, and 650

3. ANY SYSTEM WITH WIRELESS and INTERNET CAPABILITIES

The so-called AVVPAT technology being submitted by Diebold for certification is a travesty. The thermal paper and miniature type are designed to make a cost-effective hand count impossible. Diebold will have to be paid additional sums to do such hand counts. Predictably, these will be costly.

We need an auditable voter verified paper trail that can be read by vote counters hired and trained by Counties. The ballots/audit trails (AVVPAT) should conform to the following standards: printed on single sheet non-thermal paper, one record of vote per sheet; printed and organized to be easily read by both the voter and election officials; printed on a minimum of 12 font; required 1% manual audit & all recounts physically verified and hand counted only.

Both the Diebold System and the E S & S Tabulators operate on Proprietary Closed Source Code Software. Their tabulating processes are so secretive and hidden from public scrutiny and observation as to make the verification and observation process hidden and non-transparent to the Voter. This is antithetical to the foundation of American democracy.

Voting systems with wireless and Internet capabilities MUST be denied as they compromise the entire integrity, secrecy, and security of the voting process. Any knowledgeable hacker with a good encryption cracking program can access and corrupt and alter the voting data in a matter of minutes. The E S & S tabulators have a Dell laptop which contains wireless capabilities.

Further, BAN DIEBOLD From Doing Business in California for 3 years, by enforcing California Election Code Section 19214.5, subsection (a) and (3) which penalize voting companies that sell and install uncertified software.

(Assoc. Press) "Diebold paid \$2.6 million to settle a lawsuit filed by California alleging that the electronic voting company sold the state and several counties shoddy voting equipment." (Mercury News) "State auditors reported that voters in 17 California counties cast ballots in recent elections using (Diebold) software that had not been certified by the state. Voters in Los Angeles County and two smaller counties voted on machines installed with software that was not approved by the Federal Election Commission."

In conclusion, please require a paper trail that will ensure ballots are counted as cast, oppose wireless capabilities for e-voting systems, promote open source software, and ban Diebold from doing business in California for three years.

Sincerely,

Carole Lee Walsh R-N Retired

June 25, 2005
4090 Tallman Lane
Winters CA 95694

Secretary of State
Constituent Affairs Executive Division
1500 11th St
Sacramento Ca 95814

Sir,

This letter is is to express my distrust and abhorrance of the electronic voting machines being considered for certification by your office. I also recommend, after hearing testimony in the public hearing on this matter, that only paper ballots be used until secure and dependable machines can be certified by all experts and the public.

I had been told that the public comments would be accepted until June 30, 2005.

The reasons for not certifying these machines are clear and obvious. 1. They are more costly and less dependable than paper ballots. 2. Vote recording and tabulation should only be done by the public, not privately. 3. These machines encourage voter fraud by being unsecure and untraceable. 4. The vote is a public record; the public should not have to apply for information or sue to get these records. 5. Many citizens do not trust and are uneasy with machines and computers; voter disenfranchisement is increased and turnout reduced by seemingly complex and undependable and unsecure machines.

In my work I talk with many people, and mostly anger and distrust are expressed when machine voting is mentioned. My recommendation is that stiffer penalties be imposed for vote fraud and investigations into previous election irregularities be conducted to preserve and impose some semblance of democracy in California.

Respectfully,
G. Nooteboom

110 Routier St.
Santa Cruz, CA 95060
Jan. 28, 2005

Voting Systems and Procedures Panel
Office of the California Secretary of State
Attn: Bruce McDannold
1500 11th Street, 5th Floor
Sacramento, CA 95814

Dear Members of the Voting Systems and Procedures Panel:

I am writing to urge you to DENY CERTIFICATION to:

1. DIEBOLD GEMS 1.18.22 AV-TSX 4.6.1 Voting System with the Accu View Printer Module
2. E S & S TABULATORS, Models 100, 550, and 650
3. Any system with wireless and internet capabilities.

Further, I urge you to BAN DIEBOLD from doing business in California.

Both the Diebold System and the E S & S Tabulators operate on proprietary closed source code software, their tabulating processes being so secretive and hidden from public scrutiny and observation as to make the verification and observation process hidden and non-transparent to the voter. This is antithetical to the very foundation of American democracy.

Wireless and internet capabilities must be denied as they compromise the entire integrity, secrecy, and security of the voting process. Any knowledgeable hacker with a good encryption cracking program can access and corrupt and alter the voting data in a matter of minutes. The E S & S tabulators have a Dell Laptop which contains wireless equipped functionalities.

I urge you to **BAN DIEBOLD FROM DOING BUSINESS IN CALIFORNIA** for 3 years, due to their criminal acts of defrauding 17 California Counties in the sale of uncertified software.

Sincerely,



Cynthia Adams

Kathy Kerridge
771 West I Street
Benicia, CA 94510

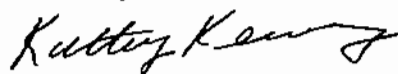
Bruce McDannold
Election Systems Division
Office of the Secretary of State
15500 11th Street
Sacramento, CA 95814

June 27, 2005

Dear Mr. McDannold:

I oppose any certification of Diebold Election Systems and any voting system that is not completely transparent. In fact the more I learn about different technologies the more I believe we should return to paper ballots that are hand counted. It is not the speed that matters in an election, it is the trust that we have in the system. I don't trust these systems and there is plenty of evidence that their results have not been accurate. Voting is the essence of democracy. Without an accurate vote there is no democracy. WE must not only have accuracy, but also the perception of accuracy. There is no perception of accuracy with electronic voting machines. There seem to be a million and one ways to tamper with the out come, many of which are undetectable. If we have to create a paper trail anyway, why not just go with paper to begin with. I have a feeling it would probably be cheaper in the long run and it would certainly produce more trust worthy and verifiable results. We can't sell out democracy to the highest bidder, and that is exactly what we are doing when we allow private companies, using proprietary software, who are owned by people who have clearly partisan, to count our votes.

Sincerely,

A handwritten signature in black ink, appearing to read "Kathy Kerridge", with a stylized flourish at the end.

Kathy Kerridge

To: Secty of State BRUCE McKEERSON June 27, 2005
Re: Protect our vote- the below signed
people @ a beautiful Camp in the Sierra's do NOT
TRUST Diebold Election System to count our votes.
Diebold software is proprietary and not Open
Source. Diebold is extremely hackable and has
significant security issues. There are exorbitant
costs for technicians and upgrades. Computer
industry experts testify to the lack of security
of Diebold. We do not want Proprietary Software
or the ^{next} paper printers.

Name	write print	Address
Cynthia Johnson	Cynthia Johnson	764 Coventry Rd Kensington CA 94707
Hal Carlstad	HAL CARLSTAD	764 Coventry Rd Kensington, CA 94707
Amy Carlstad	Amy Carlstad	PO Box 4653 Arcata, CA 95518
Lars C Benson	2214 derby st	Berkeley CA 94705
Dorothy H. Benson	2214 Derby St	Berkeley CA 94705
STUART BLANK	1314 BLAKE ST.	BERKELEY CA 94702
Rae L. Allen	1920 McGee Ave.	Berkeley, CA 94703
Merna Strassner	500 Vernon ST	Oakland, CA 94610
MERNA STRASSNER		

LYNDA BEIGEL PO Box 16379 SF CA 94116
E. R. Biglini 2322 Rose St BERKELEY, CA 94708
S. Meeri PO Box 4653 Arcata CA 95518
Robert Burgess 915 1/2 W. MICHELTORENA ST, SANTA-BARBARA, CA 93101
Ellen B. Davis 125 17th Ave. San Francisco CA 94121
Victor Aguiar 132 Baldwin St. Santa Cruz, CA 95060
Cheryl Brany Mill Valley, CA 94941
Napmi Katz 520 Bodanway Oak, CA 94610
Tinae Aaron 133 Baldwin St. SANTA CRUZ CA 95060

LAW OFFICES OF
MICHAEL S. SORGEN
240 Stockton St., 9th Floor
San Francisco CA 94108

Michael S. Sorgen
Joyce Kawahata
Andrea Adam Brott
Joshua Sondheimer

Telephone (415) 956-1360
Facsimile (415) 956-6342
msorgen@sorgen.net

June 27, 2005

Via facsimile to:

(916) 653-9675

Voting Systems and Procedures Panel (VSPP)
Office of the California Secretary of State
Attn. Bruce McDannold
1500 11th Street, 5th Floor
Sacramento, CA 95814

Re: Diebold Gems Certification

Dear Mr. McDannold,

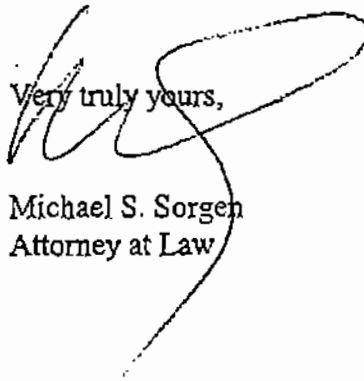
In order to protect, preserve and defend the Sanctity of the Vote, I request that State Certification be denied to Diebold Gems and E S & S Tabulators voting systems and equipment.

Both the Diebold System and the E S & S Tabulators operate on Proprietary Closed Source Code Software, their tabulating processes being so secretive and hidden from public scrutiny and observation as to make the verification and observation process hidden and non transparent to the Voter. This is antithetical to the very foundation of American Democracy and violates Articles I §§ 1 and 2.5 of the California Constitution.

Any system with wireless and internet capabilities must also be denied as it compromises the entire integrity, secrecy, and security of the voting process. Any knowledgeable hacker with a good encryption cracking program can access and corrupt and alter the voting data in a matter of minutes. The E S & S tabulators have a Dell Laptop which contains wireless equipped functionalities.

Ban Diebold from doing business in California for three years. Enforce California Election Code Section 19214.5, Subsection (a) and (3) due to their criminal acts of defrauding 17 California counties in the sale of uncertified software.

Very truly yours,


Michael S. Sorgen
Attorney at Law

BAYFORD BUTLER
P.O. Box 380
Penryn, CA 95663

June 24, 2005

Secretary of State Bruce McPherson
1500 11th Street
Sacramento, CA 95814

Dear Secretary McPherson,

You have requested public input on voting systems.


I have followed the approval process of the various voting systems at both the Federal and the California level for some time. After listening to the commentary and the responses from the various companies and reading the extensive technical articles that are available, it appears that none of the present systems meet either Federal or state standards. It also appears that none of the systems are tamper proof, as hackers and casual happenstance have demonstrated nationwide.

I would urge you to have an open source system developed for California, so that the questions about proprietary manipulation can be put to rest. The Federal voting modernization money is not near as important as elections that are perceived to be honest. Even if the present systems being offered turn out to be flawless, the doubt and unease that accompanies them will never be put to rest.

Until such time that unquestioned voting methods can be developed, I urge you to approve only systems which can be verified by an auditable paper trail. The voters of California deserve nothing less.

Thanks you for your interest.

Sincerely,


Bayford Butler

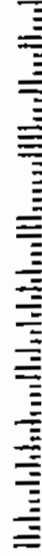
BAYFORD BUTLER
POST OFFICE BOX 380
PENRYN, CA 95663

RECEIVED
SECRETARY OF STATE'S OFFICE
05 JUN 27 PM 2:40



Secretary of State Bruce McPherson
1500 11th Street
Sacramento, CA 95814

95814+8701



DemocracyAction

local action, national impact

June 27, 2005

Mr. Bruce A. McPherson
Secretary of State
State of California
1500 11th Street
Sacramento, CA 95814

Re: Certification of Diebold and ES&S Voting Machines

Dear Secretary McPherson:

I appreciated the opportunity to testify at the June 16th Panel regarding certification of Diebold and ES&S Voting machines, and the two-week extension of the public review period to allow these written comments.

Today's voting machines with their proprietary, secret source code are the hidden cancer of American politics. I have lost my sister, my father and three aunts to cancer, and do not use this analogy lightly. Many of us believe this country has also suffered a great loss, due to the misuse of voting machine technology to further partisan ends.

Cancer is insidious, in the same way as the secretive, hidden code of Diebold and ES&S machines. We don't know where it will strike. Once it strikes, there are no assurances that any remedies will cure the problem.

The highly-partisan ownership of these voting machine companies, coupled with proprietary, secret code, ultimately means that the results cannot be verified with the 100% level of confidence that our citizenry deserves in their elections. Before the voting last year, the Internet was rampant with jokes about people trying to vote for John Kerry on screens that would either move the Kerry button around so that it was impossible to click, or that would register the vote as one for George Bush. In Florida, many voters found the latter became an astonishing reality and had to revote several times to get an accurate result. Many others no doubt never noticed.

Code corruption is code cancer. We need to either return to paper ballots or move to computers with open source code, loaded publicly and checked after the voting, without any Internet or wireless connectivity in order to ensure against hacking.

Alec Bash, President, Democracy Action 936 Church St. San Francisco, CA 94114

We need voter-verified paper ballots that are easily readable and produce a permanent record. We need optical scanning machines that are themselves crafted with the same assurances of accuracy and freedom from tampering as the computers used to produce the paper ballots.

It is important for both Republicans and Democrats to “take this issue out.” What’s the best response to charges of rigged elections? For all America, we must take the issue out, either by paper balloting or open source code machines with voter-verifiable paper ballots.

California is a great innovator, a leader in the nation. Let us lead here, and take out this cancer afflicting the body politic. Let us lead the country away from ongoing, ugly suspicion.

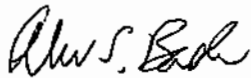
If we go forward with electronic voting, it must have open source code. We cannot go forward with secret software that undermines validity—rather, we would be going backward to days when people just assumed elections were stolen.

Open up and cut out the tumor. Heal the wound. Start curing the patient.

This is a big operation, major surgery. But the people of the State and Nation will thank you.

If we look at the big picture, clearly Diebold, ES&S and other proprietary, secret source code machines should be denied. Rather, look to the University of California and others working for public, open software with whom we can all place our trust.

Sincerely,

A handwritten signature in black ink, appearing to read "Alec S. Bash". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Alec S. Bash

BASH
936 Church St.
San Francisco, CA 94114-3029

RECEIVED
SECRETARY OF STATES OFFICE
05 JUN 28 AM 11:30



Mr. Bruce A. McPherson
Secretary of State
State of California
1500 11th Street
Sacramento CA 95814

